

Great Britain

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AN

ABSTRACT

Geo. III Public Acts

OF THE MOST

IMPORTANT CLAUSES

IN THE FOLLOWING INTERESTING

ACTS OF PARLIAMENT,

PASSED IN THE SESSION OF 1780 ;

By which the PUBLIC in general are equally affected, as by those
passed in the Session of 1779, viz.

- | | |
|--|--|
| <p>1. ACT for allowing IRELAND to trade with FOREIGN PARTS.</p> <p>2. ACT concerning SPANISH PRIZE GOODS, and other PRIZE and EAST INDIA GOODS, and TOBACCO.</p> <p>3. ACT respecting VOTERS at COUNTY ELECTIONS of MEMBERS of PARLIAMENT.</p> <p>4. ACT for ADDITIONAL DUTIES ON ADVERTISEMENTS and LEGACIES.</p> <p>5. ACT for ADDITIONAL DUTIES ON MALT, WINES, and SPIRITS; and on LICENCES for dealing in TEA, COFFEE, and CHOCOLATE.</p> | <p>6. ACT for ADDITIONAL DUTY on SALT.</p> <p>7. ACT for RECRUITING the ARMY and NAVY by VOLUNTEERS.</p> <p>8. ACT for new DUTIES on POST-HORSES, CARRIAGES, and TRAVELLERS.</p> <p>9. ACT for appointing COMMISSIONERS to STATE the PUBLIC ACCOUNTS of the KINGDOM.</p> <p>10. ACT for INDEMNIFYING such PERSONS as have acted in the SUPPRESSION of the late RIOTS.</p> <p>11. ACT for INDEMNIFYING SHERIFFS, PRISONERS, and SUITORS, from the Consequences of the late RIOTS and PUBLIC DEVASTATIONS.</p> |
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With a PREFACE, NOTES, and REFERENCES,

By the GENTLEMAN of the INNER-TEMPLE,

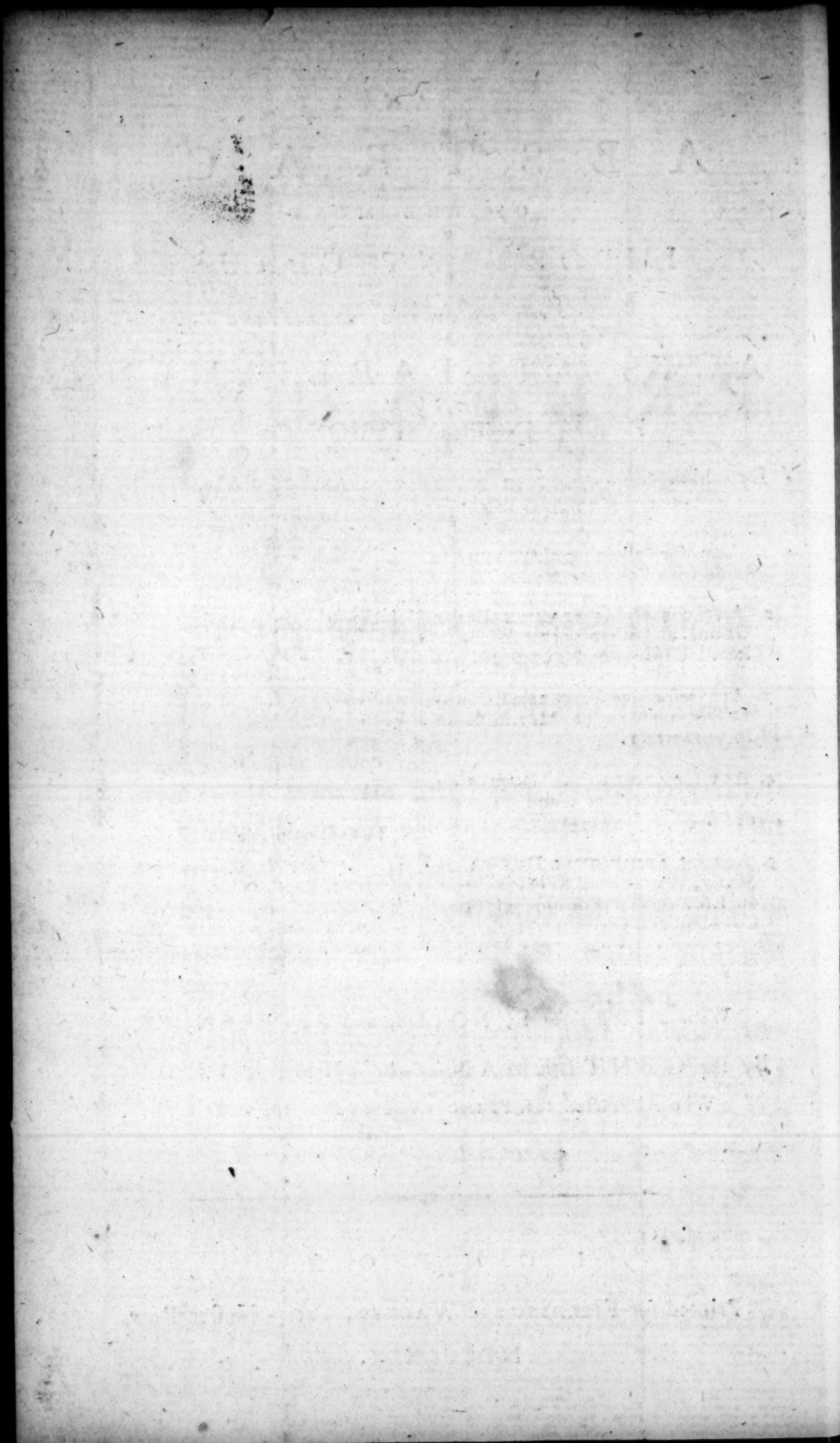
Who Abstracted the PRINCIPAL ACTS of the Year 1779.

L O N D O N :

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MDCCCLXXX.

802



P R E F A C E.

THE great demand for the Abstract of the important Acts of Parliament passed in the Session of the year 1779, induced the Compiler of them to repeat his endeavours to satisfy the Public in like manner with those of the Session of 1780, among which will be found many equally important with those of the preceding Session; especially such as contain the additional Duties on Advertisements, Legacies, Malt, Wine, Spirits, on Licences for Travelling, and dealing in Tea, Coffee, or Chocolate.

It is with great deference submitted to those whom it may concern, whether the plan upon which the Post Horse and Carriage Act is framed, is

a

not

not somewhat deficient, in not confining the tax on post-chaifes to eleven-pence a mile ; for fuch is the inordinate avarice and love of gain in Inn-keepers, that when a tax is laid upon them, or their dealings, they are fure not only to *saddle* their customers with the tax, but alfo to add fome very confiderable advantages to themfelves.

Inftead of eleven-pence, the Public now pays one fhilling *per* mile ; by which exorbitant impofition the Inn-keeper puts what is equal to fifty *per cent.* into his own pocket, and affigns the very tax, which the Public likewife pays, as his reafon for fo doing. May not fuch a procedure be juftly confidered as the higheft pitch of effrontery, to ufe no harfter term, in thefe gentry ?

The Proprietors of the ftage-coaches act upon a very fimilar principle ; for if Parliament lays a tax which in the leaft affects them or their intereft, they instantly raife their demands in equal proportion to the additional prices impofed by the owners of post-chaifes.

If the Act had reftriated the tax on post-chaifes and pair to eleven-pence a
mile,

mile, and the stage-carriages to a certain price, the traveller would not have been subject to those impositions. It may perhaps be observed, in answer to the objection, that the Inn-keepers would combine together not to use their carriages at all: but it is so well known, that it can be made appear from pretty good authority, that the profits of those gentry are too considerable for them to think of giving up the advantages of so lucrative an employment.

The emoluments on post-chaises are without doubt very great, though to my no small surprize, not so great as the stages are to the Proprietors; for I have been most credibly informed, that a certain Coach-master cleared by one coach only upwards of two thousand pounds a-year, allowing him to keep fifty horses upon the road, at two shillings and six-pence a-head *per* day, and allowing him also two hundred pounds a-year for horse-flesh, and two new carriages annually. I could not believe it at first; but such proofs were laid before me, that I was convinced of the truth of the assertion; and

and also that the income arising from running *such* a carriage, exceeded an estate of three thousand pounds a-year in London.

I was further informed, that *such* a carriage was better than the estate of most Country Esquires; and that the *Dillies* of this Coach-master, when they run, were nearly as profitable; for above the sum of one hundred and sixty pounds has been taken in little more than three weeks in summer, and as much, or more, has been taken for the same in *London*.

Therefore it seems that this *Esquire* Coach-master, and other Esquires of the Whip in this kingdom, may very well, in my humble opinion, afford to pay an additional tax upon their carriages, in order to deduct from their enormous profits a sum at least equal to the Land-Tax. Can any person think that such an Esquire would lay down his public stage-coach, because he got only the trifling sum of one thousand six hundred pounds, instead of two thousand pounds a-year?

The Act for taking an account of, and liquidating the balances of the
Public

Public Monies of this kingdom, is almost a novel parliamentary institution ; for I believe the last Act of that nature passed in the latter end of Queen * *Anne's* reign, which is now near three-score and ten years ago.

The Act for indemnifying the several persons therein particularly mentioned from the consequences they may be legally liable to, from the late public commotions and devastations, and for the other purposes therein also set forth, will not permit us on this occasion to omit mentioning our regret, that the Reader does not find a repeal or alteration of Stat. 18 Geo. III. chap. † 60. among them.

The principal parliamentary arguments for declining to repeal the said Act of 18 Geo. III. are,

1. Because religious toleration is an amiable, political, humane, and public virtue.

* Stat. 9 *Ann.* chap. 13.

† Intituled, " An Act for relieving subjects professing the Popish religion from certain penalties and disabilities imposed on them by Stat. 11 and 12 W. III. chap. 4. intituled, " An Act for the further preventing the growth of Popery."

2. Because

2. Because it would be to the last degree cruel, not to give such of the late sufferers as were of the Roman Catholic persuasion, an opportunity of rebuilding their late dwellings, which had been consumed by fire, or destroyed by violence.
3. Because it would be doing the greatest injustice to those individuals of the said persuasion, who had purchased estates on the faith of Parliament.
4. Because Papists had an equal claim with Dissenters on Parliament, to be tolerated in their religious tenets.
5. Because the repeal required would derogate from the dignity of the Legislature, by their passing Laws through the intimidation, or at the instance of, riotous mobs.

These several reasons do not seem admissible upon any of the above principles: for, to consider them in their order,

1. Though religious toleration be cloathed in the captivating epithets, amiable,

amiable, political, humane; and though such toleration be also deemed a public virtue, yet it is contended, in the words of the Protestant Petition, “ that POPERY is in its nature intolerant; in a Protestant Country seditious; and in *England* disaffected to the present reigning Family.”

2. May not a Protestant be of opinion, that Popery is intolerant, and also that the sufferers of that persuasion are entitled to relief from a British Parliament, distinguished for humanity, as well as wisdom; and may not means be found out for that purpose, without countenancing the religion of the sufferers in this Country?

3. Is the Legislature to be informed, that in several of their Acts, Protestant individuals have been obliged to submit for public convenience to accept what a Jury were pleased to give them for their estates, which they purchased on the faith of the Law itself. [*See the Acts for building Bridges, making Roads, &c.*] If so, is it decent for a Protestant Parliament to enjoin terms to Protestants, which they think would

be oppressive, if the same were enjoined to Papists ?

4. Unless Dissenters can be considered as Papists, the arguments are

[Let the Reader fill up the Blank.]

5. Is it not much more derogatory to the dignity (as it is called) of Parliament, to reduce the Legislature to the mean necessity of being obliged to apologize for not repealing Acts, because the public faith of Parliament would be violated, and injustice done their Constituents—is it not much more derogatory to pass such unadvised and inconsiderate Laws (for no other can bring a Legislature into such difficulties), than to repeal obnoxious Acts ?

And, in order to give the objection its full force, neither the Parliament of George III. nor the Session of the year 1780, is the first Parliament, or Session, that has condescended to repeal laws from the *clamours* of the people, and from the necessity of the times ; for from what other motive, or upon what other principle were the

* Jew,

* Jew, the † Cyder, and the American
‡ Stamp Acts respectively repealed ;

* The naturalization of the Jews was permitted by Stat. 26 Geo. II. chap. 26.

† The duty on cyder was to be collected in a very unpopular manner (similar to that of the excise in the year 1733) by Stat. 3 Geo. III. chap. 12. and 4 Geo. III. chap. 11. both which Acts were repealed by Stat. 6 Geo. III. chap. 14.

‡ The stamp duties in *America*, by Stat. 5 Geo. III. chap. 12. and repealed by Stat. 6 Geo. III. chap. 11. Hear the late Earl Chesterfield's sentiments on this subject : " Our Colonists absolutely refuse to pay the late imposed stamp-duty. Administration are for some indulgence and forbearance to these froward children of their Mother Country. The Opposition are for taking vigorous, as they call them, but I call them violent measures : not less than *les dragonades* ; and to have the tax collected by the troops we have there. For my part, I never saw a froward child mended by whipping ; and I would not have the Mother Country become a Step-mother. Our trade to America brings in *communibus annis*, two millions a-year ; and the stamp-duty is estimated at but one hundred thousand pounds a-year, which I would by no means bring into the Stock of the Exchequer, at the loss, or even the risk, of a million a-year to the national stock." Thus his Lordship writes to his son in Letter ccclx. dated *London, Dec. 27, 1765.* Again : " The Ministers lost the question in the House of Lords, whether to enforce the execution of Stamp Act in the Colonies *vi et armis*, by three ?" Again : " The Stamp Act has proved a most pernicious measure ; for, whether it is repealed or not, which is still very doubtful, it has given such terror to the *Americans*, that our trade with them will not be for some years what it used to be. Great numbers of our manufacturers at home will be turned a-starving for want of that

especially the former ; for the preamble to that Act || recites, “ That Stat. “ 26 Geo. II. chap. 26. permitting the “ naturalization of the Jews, had been “ the *occasion of civil & commotions.*”

employment, which our very profitable trade to *America* found them ; and hunger is always the cause of tumults and sedition.” Letter ccclxi. dated *London, Feb. 11, 1766.* Again : “ I will say nothing to you about *American* affairs, because I have not pens, ink, or paper enough to give you an intelligible account of them ; they have been the subjects of warm and acrimonious debates, both in the Lords and Commons, and in all companies.” Again : “ The repeal of the Stamp Act is at last carried through. I am glad of it, and gave my proxy for it, because I saw many more inconveniencies from the enforcing, than from the repealing it.” Letter ccclxii. dated *London, March 17, 1766.* I take leave to observe, that this temporary stamp will prove an eternal one of the unfeeling inhumanity, arbitrary disposition, and weak policy of the Mother Country to her own children ; and that not all the revenues of Great-Britain, no, not even in these blessed times of universal taxation, will ever be able totally to efface the general dissatisfaction, the national discontent arising from unusual distress, or the indelible infamy with which American slaughter, desolation, and ruin, have disgraced the historic page of Old England.

|| Viz. to Stat. 27 Geo. II. chap. 1. whereby Stat. 26 Geo. II. chap. 26. for naturalizing the Jews, was repealed.

§ The same Earl *Chesterfield* writes thus respecting this repeal :—“ The Ministers, intimidated by the absurd and groundless clamours of the mob, have very weakly in my mind repealed this Session, the Bill which they had passed in the last, for rendering

It is observable, that *Ireland* procur-
ed a free trade by the same means that

dering Jews capable of being naturalized by subsequent Acts of Parliament." See *his Lordship's Letters to his Son*, p. 328, vol. II. 4to. edit. and p. 34. vol. IV. 8vo. edit. and Letter cclxviii. dated *London*, Nov. 26, 1753, in both editions. Lord *Lyttelton*, in his speech upon repeal of the Jew Bill, observes, (*inter alia*) that "resolution and steadiness are excellent qualities; but it is the application of them upon which their value depends. A wise Government, Mr. Speaker, will know where to yield, as well as where to resist; and there is no surer mark of littleness of mind in an Administration, than obstinacy in trifles. Public wisdom on some occasions, must condescend to give way to popular folly, especially in a Free Country, where the humour of the people must be considered as attentively, as the humour of a King in an absolute Monarchy. Under both forms of Government, a prudent and honest Ministry will indulge a small folly, and will resist a great one. Not to vouchsafe now and then a kind indulgence to the former, would discover an ignorance of human nature: not to resist the latter at all times, would be meanness and servility. Sir, I look on the Bill we are at present debating, not as a sacrifice made to popularity (for it sacrifices nothing), but as a prudent regard to some consequences arising from the nature of the clamour raised against the late Act for naturalizing Jews, which seem to require a particular consideration. The Bill before us, I am sure, is not persecution; it only puts every body in that situation where every body was easy. It is a gentle, a prudent, and a moderate measure, tending to quiet and settle the minds of men, which have been unhappily disturbed without any necessity. I give it my most hearty concurrence." Vol. III. of Lord *Lyttelton's Works*, p. 31, 32, 35. One may observe on these

Scotland resisted and prevented the introduction of indulgence towards those persons of that Country who professed the Roman Catholic Religion ; and that England could not succeed, because she, poor old soul ! attempted by a riotous mob, what was, in another Kingdom, effected by more persuasive arguments.

The proposed alteration of 18 Geo. III. is the subject matter of the fourth and fifth allegation in the Protestant Petition, viz. “ That your Petitioners apprehend, that the Papists construe the late indulgence of Parliament to be a toleration of Popery, as appears by the *Schools* which they have opened thro’ out the Kingdom ;” and “ That Popish *Schoolmasters* now openly exercise their functions, whereby the people, especially the rising generation, are in danger of being led into superstition, idolatry, and rebellion.”

these two opinions, that *magno se judice, quisque tue-*
tur. But besides, Lord *Chesterfield*’s sentiments respecting the repeal in question, are not only shaken by Lord *Lyttelton*, but also even contradicted by the voice of the Legislature itself.

The

The reasons assigned by the Protestants in support of the above allegations in their Petition were, that “Papists were now encouraged to open *Schools*, and instruct the children of Protestants, the only Act in which they were by name prohibited, being repealed. That they had already opened many *Schools*, and in some places offered to educate the children of Protestants *gratis* ; and would, no doubt, exert every endeavour to train up the rising generation in their religious and political tenets, which may prove the utter subversion of our happy Constitution.”

These arguments were so persuasive, and these reasons so cogent, that it may not perhaps be too presumptuous to suggest, that they had so much weight as to induce the Hon. House of Commons to admit a Bill to be brought into that Assembly for the purpose of *altering* Stat. 18 Geo. III. in respect to the subject matter of the said allegations in the said Petition, and for the reasons suggested, and herein before set forth, in support thereof. The Bill passed the

the Commons ; but on the question being put by the Lord Chancellor in the other House, on a division of nine for the Bill, to seventeen against it, the same was thrown out of the Lords, by a majority of eight, because (*inter alia*) the Bill was introduced *to quiet the minds of the People respecting the late tumults.*

July 19, 1780,

A N

A B S T R A C T, &c.

20 G E O. III.

AN ACT TO REPEAL CERTAIN ACTS MADE
IN GREAT BRITAIN, WHICH RESTRAIN
THE TRADE AND COMMERCE OF IRELAND
WITH FOREIGN PARTS.

C H A P. VI.

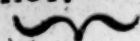
AFTER the passing of this Act, so IRISH
TRADE
ACT.
much of 10 and 11 W. III. chap. * 10.
and so much of any other Act of Par-
liament, which prohibits the exportation of
cloth, serge, bays, kerseys, says, frizes, drug-
gets, cloth-serges, shalloons, or any other
drapery stuffs or woollen manufactures what-
soever, made up or mixed with wool or wool

* Intituled, "An Act to prevent the exportation of wool
out of the kingdom of *Ireland* and *England* into foreign
parts, and for the encouragement of the woollen manufac-
tures in the kingdom of *England*."

B

socks,

IRISH
TRADE
ACT.



flocks, from Ireland into foreign parts. After the passing of this Act, so much of Stat. 19 Geo. II. chap. * 12. as relates to the exportation of glass, glass bottles, or glass of any kind or denomination whatsoever, from or out of the kingdom of Ireland, is repealed.

* Intituled, “ An Act for granting to his Majesty several
“ rates and duties upon glass, and upon spirituous liquors; and
“ for raising a sum of money by annuities, and a lottery, to be
“ charged on the said rates and duties; and for obviating
“ some doubts for making out orders at the Exchequer for the
“ monies advanced upon the credit of the said duties, granted
“ and continued to his Majesty by Stat. 19 Geo. III. chap. ”

20 G E O. III.

AN ACT FOR EXTENDING THE PROVISIONS OF TWO ACTS, MADE IN THE EIGHTEENTH YEAR OF HIS PRESENT MAJESTY'S REIGN, AND IN THE LAST SESSION OF PARLIAMENT, WITH RESPECT TO BRINGING PRIZE GOODS INTO THIS KINGDOM, TO SPANISH PRIZE GOODS; AND FOR REPEALING SO MUCH OF THE SAID LAST-MENTIONED ACT AS RELATES TO THE CERTIFICATES FOR PRIZE TEA AND EAST-INDIA GOODS EXPORTED FROM THIS KINGDOM TO IRELAND; FOR THE REMOVAL OF EAST-INDIA GOODS CONDEMNED AS PRIZE AT ANY OUT-PORT TO LONDON FOR SALE, AND OF PRIZE GOODS FOR EXPORTATION; AND FOR REDUCING THE DUTY ON FOREIGN PRIZE TOBACCO.

C H A P. IX.

18 **G**EO. III. chap. * 15, and 19 Geo. PRIZE
ACT.
III. chap. † 5. and all the articles, clauses, and provisions therein, (except where any alteration is made by this Act), shall extend to all prize goods and ships which have been taken from the Spaniards since the

* Intituled, " An Act for the relief of captors of prizes with respect to bringing and landing certain prize goods in this kingdom."

† Intituled, " An Act for granting relief to the captors of prizes, with respect to bringing and landing certain *French* prizes in this kingdom."

PRIZE
ACT.

eighteenth day of June, one thousand seven hundred and seventy-nine, or which hereafter may be taken during the continuance of the present hostilities with Spain. Sect. 1.

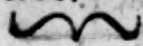
Where any foreign ship hath been, or shall hereafter be taken, during the present hostilities, and condemned as prize in this kingdom, the duty due for such ship shall be paid, upon her first arrival in this kingdom, to the Collector of Customs at such port, by the Master, Owner, or Consignee, of such ship, whether the same shall have been sold by the captors after condemnation, or otherwise; and no foreign-built ship so condemned shall be entitled to the privilege of a British-built ship or vessel, until duty paid: and any Officer of Customs may stop and detain such ship at any port in Great-Britain, until the said duty is paid. And in case payment be not made for three * *calendar* months after the arrival of such ship at any port in this kingdom, any three or more of the Commissioners of the Customs may cause such ship, and her materials, apparel and furniture, to be sold publicly, and the produce applied, first to the charges by such detention and sale, next to the Customs and Duties, and the overplus to be paid to the proprietor of such ship, or other person duly authorised to receive the same. Sect. 2.

So much of 19 Geo. III. chap. 5. sect. — as enacts, “ That if any tea, or other East-India goods, liable to any duties *ad valorem*, taken and condemned as prize, shall

* Had not the Act expressly mentioned *calendar*, the law would have construed them *lunar* months. See fol. 9. note.

" be exported from this kingdom to Ireland, ^{PRIZE}
 " the certificates, cocquets, and other do- ^{ACT.}
 " cuments, shall express the price or value at
 " which such goods were sold upon condem-
 " nation, and that such cocquets and other
 " documents shall have the same effect, upon
 " the importation of such goods into Ire-
 " land, as if the said goods had been im-
 " ported by and sold at the sales of the East-
 " India Company," is repealed. Sect. 3.

Where goods of the growth, product,
 or manufacture of the East-Indies taken
 as prize, during the present hostilities with
 France or Spain, shall be carried into
 any out-port in this kingdom, and con-
 demned as prize; bond, with sufficient se-
 curity, shall be given to his Majesty, in
 treble the value of such goods, that the same
 shall be brought to London, and delivered to
 warehouse-keeper at the Custom-house for
 the port of London, to be deposited in
 warehouses provided at the expence of the
 captors, and approved of by four or more
 of the Commissioners of the Customs; and
 with further condition to produce a certifi-
 cate from such warehouse-keeper, within
 three months from the date of such bond,
 that the goods have been delivered accord-
 ingly. The Collector, Comptroller, or other
 principal Officer of the Customs, at the port
 from whence such goods are to be removed,
 is to cancel and discharge such bond upon
 receiving the certificate from the warehouse-
 keeper. And if such goods shall be sent by
 land carriage, they shall be removed under
 the seals of office of Collector, Comptroller,
 or principal Officer of the Customs, and shall

PRIZE
ACT.

be accompanied with a *transire* expressing the number and marks of the packages. And all such goods so removed, either by land or water, shall afterwards be publicly exposed to sale in London, by the captors, on notice of sale to the proper Officers of the Customs and Excise; and the duties for such goods shall be thereupon computed and charged by the proper Officers of the Customs or Excise, by the same rules, regulations, and restrictions, in all respects (excepting any allowance for warehouse rent) as the duties upon the like goods imported by, and sold at the sales of the East-India Company, are computed and charged; and the duties shall be accordingly paid and applied. Sect. 4.

Three or more of the Commissioners of the Customs may order any prize goods so secured in any warehouse in pursuance of 18 Geo. III. chap. 5. to be removed and sent from thence for exportation to any Custom-House warehouse, at any other port in Great-Britain, under the seal of office of the Collector and Comptroller of the Customs at the port from whence the goods are intended to be so removed, at the expence of the captors or purchasers; and in such case, the security directed by the last herein before recited Act, shall be taken by the Customer or Collector of the port to which such goods are removed, before delivered for exportation, instead of the port where they were first warehoused as aforesaid. Sect. 5.

All tobacco, not being the growth, product, or manufacture, of any British American Colony or Plantation, or under the dominion of his

his Majesty, which hath been condemn-
 ed as prize, and now remaining in any
 warehouse under the King's locks, or on board
 any ship unentered at the Custom-house, or
 which shall, during the present hostilities
 with France or Spain, be condemned as
 prize, shall be liable to pay the same du-
 ties as tobacco of the growth, &c. of the
 British Plantations in America are liable
 to; and upon exportation of such to-
 bacco, the whole of such duties so paid
 or secured shall be repaid and drawn
 back, or the security vacated, excepting the
 half of the old subsidy, granted by Stat.
 12 Car. II. chap. 24. and the whole of the fur-
 ther subsidy of poundage, granted by an Act
 of 21 Geo. II. chap. 2. being what is com-
 monly called "The subsidy of one thousand
 seven hundred and forty-seven," if such tobac-
 co shall be taken by any ships of war; and the
 half of the old subsidy only, if taken by any
 private ship: and such tobacco shall, in all
 all other respects, be subject to the same
 securities, rules, regulations, and restric-
 tions, as tobacco of the Plantations are liable
 to. Sect. 6.

In case any such foreign tobacco shall be
 taken as prize, and carried into any foreign
 port, and condemned in any of his Majesty's
 dominions out of this kingdom, and such to-
 bacco shall be afterwards imported into Great-
 Britain, the importer or proprietor of such to-
 bacco shall produce, to the Collector and
 Comptroller of the Customs at the port of
 importation, a certificate under the hands and
 seals of office of any two of the Collectors and
 Comp-

PRIZE
 ACT.

**PRIZE
ACT.**

Comptrollers of the Customs, and naval officers at the port where such tobacco shall be condemned : and if there shall be no Collector or Comptroller, or naval officer, at such port, then under the hand and seal of the Governor or Commander in Chief, or the British Consul residing there, certifying that such tobacco hath been condemned as prize ; which certificate shall express the quantity, number, and marks, of the package of such tobacco, and by what ship the same was taken, and when and where the same was condemned ; on failure whereof, such tobacco shall be subject to the same duties and restrictions as if this Act had not been made. Sect. 7,

Am

20 GEO. III.

AN ACT TO REMOVE CERTAIN DIFFICULTIES
RELATIVE TO VOTERS AT COUNTY ELEC-
TIONS.

C H A P. XVII.

THE several laws now in being for as-
certaining the rights of persons claim-
ing to vote in the elections of Knights of the
Shire to serve in Parliament for England, be-
ing difficult to be carried into execution; for
remedy of the great delays and inconveniences,
occasioned by the numberless disputes which
have arisen at County Elections, after the
first day of January, one thousand seven hun-
dred and eighty-one, no person shall vote for
electing of any Knight of the Shire to serve
in Parliament, within England, or Wales,
in respect of any messuages, lands, or tene-
ments, which have not, for six * *calendar*
months next before such Election, been as-
sessed towards some aid by a Land-Tax, (in case
any such aid be then granted and assessable)
in the name of the person who shall claim to
vote at such Election, in respect of any such
messuages, lands, or tenements, or in the

ELEC-
TION
ACT.

* The law would have deemed months *lunar*, and not *calendar*, had they not been so expressly named by the Legislature. See *Co. Lit.* 135. b. 2 *Inst.* 71. *Lit. Rep.* 19. 3 *Tr. Atk. Rep.* 346. 2 *Black. Com.* 141. *Dougl. Hist. Controv. Elect.* 293. n.

ELEC-
TION
ACT.

name of his tenant actually occupying the same. Sect. 1.

~ This Act, with respect to assessing, shall not extend to annuities or fee-farm rents (duly registered) issuing out of any messuages, lands, or tenements, rated as aforesaid; nor to any person who became entitled to such messuages, lands, or tenements, for which he shall vote, or claim to vote, by descent, marriage, marriage settlement, devise, or promotion to any benefice in the church, or to an office, within twelve * *calendar* months next before such Election; but such person shall be intitled to vote, if the messuages, lands, or tenements, have been, within two years next before such Election, rated or assessed to the Land-Tax, in the name of the person by whom such person voting, or claiming to vote, shall derive his title to the messuages, lands, or tenements, for which he shall vote, or claim to vote; or in the name of some † *predecessor*, within two years next before such Election, of such person claiming to vote in respect of any such promotion, or in the name of the tenant of such person, he actually occupying such messuages, lands, or tenements. Sect. 2.

The Commissioners of the Land-Tax for England or Wales, at their respective meetings held for appointing Assessors for the places lying within their respective divisions, shall cause to be delivered to each of them, a print-

* See the Note in the preceding page.

† Predecessor seems more usually applicable to *Offices* than *Estates*.

ed * form of an assessment, hereunder written ; according to which they are to make the same, and three duplicates thereof ; and shall (at least fourteen days before such assessment shall be delivered to the Commissioners of the Land-Tax for the County within which the place for which such assessment shall be made shall lie) cause one of the said duplicates, or a fair copy thereof, to be stuck up upon one of the doors of the church or chapel of the parish or place for which such assessment shall be made ; but in case such assessment shall be made for an extra-parochial or any other place, where there is not any church or chapel, then such assessment shall be stuck up upon one of the doors of the church or chapel in a parish

ELEC-
TION
ACT.

* The form of which is to be as follows :

County of N. to wit :
For the Parish of
in the said County.

} An assessment made in pursuance of an
Act of Parliament, passed in the
year of his Majesty's reign, for
granting an aid to his Majesty by a land-
tax, to be raised in *Great-Britain*, for
the service of the year one thousand
seven hundred and

Names of Proprietors.			Names of Occupiers.			Sums assessed.		
A. B.	—	—	Himself.	—	—	—	—	—
A. B.	—	—	C. D.	—	—	—	—	—
E. F.	—	—	C. D.	—	—	—	—	—
C. D.	—	—	G. H.	—	—	—	—	—
I. K.	}	—	N. O.	—	—	—	—	—
and		—						
L. M.		—						
P. Q.	—	—	{ R. S. and T. U. }	—	—	—	—	—

Signed this 17 day of by us

A. B. }
C. D. } Assessors.

ELEC-
TION
ACT.

next * adjoining ; and if any person (renting, or occupying, any messuages, lands, or tenements) shall hold tenements, belonging to different owners or proprietors, the same shall be separately and distinctly rated, that the proportion of the Land-Tax to be paid by each owner or proprietor may be known ; and the said duplicates shall be delivered to the Land-Tax Commissioners, at their meeting for the receipt of assessments ; and if the name of any owner of any messuages, lands, or tenements, in such parish or place, entitled to vote as aforesaid, shall not appear or be included in such assessment, such person may by himself, or his agent, appeal to the Commissioners of the Land-Tax, to whom such assessments shall be returned ; and every person so intending to appeal, shall give notice thereof in writing to one or more of the Assessors of the place wherein he is rated ; and the said Commissioners, on sufficient cause to be shewn, shall amend the duplicates of such assessments, by inserting therein the name of the actual occupier, and of the owner of such messuages,

* By Stat. 19 Geo. II. chap. 34, order of Council for smuggler to surrender is to be proclaimed in two market-towns *near* the place where the offence was committed : a question arose, Whether the market-towns at which the order had been proclaimed being one, thirty miles, another 42, and the other five miles from the place, (there being several market-towns nearer) the Act of Parliament had been complied with ? The Court (*inter alia*) said, that the Act did not confine the Sheriff to the *next* market-towns ; *because that would have rendered the execution of the Act difficult, and subject to great niceties* : nor did the law intend to leave the matter wholly to the discretion of the Sheriff : and therefore the Act requires, that the proclamation be made in the market-towns *near* the place. *This word is plainly restrictive of the Sheriff's power ; it is a guide to his discretion in the execution of the Act.* *Fost. Rep. 58.* So that the word *next* in the above Act does not seem to have been adopted with legal judgment at least.

lands,

lands, or tenements, or the person entitled to, or in the actual receipt of the rents, or by erasing the name of any person who shall appear to have been improperly inserted; and the said Commissioners are to cause one of the said duplicates so amended (after the same shall be duly signed and sealed by any three of the said Commissioners, to be returned to an Assessor, who is to deliver such duplicate, so amended, within ten days after receipt, to a chief Constable of the place for which such assessment was made shall lie, taking his receipt, who is also to deliver such duplicate upon * oath, without any alteration, on the first day of the next General Quarter Sessions, in open court, to the Clerk of the Peace, to be by him filed. Sect. 3.

ELEC-
TION
ACT.

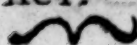
If an Assessor shall neglect to deliver such duplicate to a chief Constable, or if he shall neglect to deliver the same to such Clerk of the Peace, at the next Sessions as aforesaid, or wilfully alter or deface duplicate, every offender shall forfeit five pounds, to be levied as after mentioned. Sect. 4.

At Michaelmas Sessions in every year, Clerk of the Peace, or his deputy, in every County, &c. aforesaid, shall, before the conclusion of such Sessions, examine whether the duplicates of all the assessments shall have been delivered for that year; and if it shall appear that any have not been received by or delivered to such Clerk of the Peace, or his deputy, by the proper chief Constables, then Clerk of the Peace, or his deputy, shall report same to the court, which shall immediately set

* Which oath said magistrates are empowered by the Act to administer.

said

ELEC-
TION
ACT.

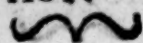


said fine of five pounds upon such chief Constables, within which hundred the place for which duplicate of assessment not returned shall lie ; and the said Clerk of the Peace, or his deputy, shall give to such chief Constables immediate notice of such fine ; and if the same is not immediately paid, the Justices in said Quarter Sessions shall, by order of court, issue a warrant of distress for the recovery thereof, directed to the Constable of places where such chief Constables shall live ; and such warrant shall be delivered or transmitted by the Clerk of the Peace, or his deputy, to Constable, who is to levy such fine by distress and sale of the goods and chattels of chief Constables, rendering the overplus (if any) to the owners, after deducting the reasonable charges. Sect. 5.

If such chief Constables shall voluntarily make oath at Sessions, that duplicate was not delivered to either of them by Assessor, in such case, the said fine shall be set upon such Assessor of place for which duplicate shall not be returned ; and the Justices in Sessions shall, by order of court, issue a warrant of distress for the recovery thereof, directed to the Constable of the place, or to such other person as Justices shall think proper ; and also shall, by order of court, require chief Constable to give notice to such Assessor, that such fine hath been set ; and chief Constables are to serve notices upon Assessors within fourteen days next after Sessions ; and if Assessor shall not deliver duplicate, or chief Constable's receipt for the same, to the Clerk of the Peace, or his deputy, within ten days after being served with notice, then said Clerk

Clerk of the Peace, or his deputy, shall deliver or transmit warrant of distress against the Assessor, to the person to whom the same shall be directed, who is to levy the said fine set upon Assessor, by distress and sale of his goods and chattels, rendering the overplus (if any) to the owner, after deducting reasonable charges. Sect. 6.

ELEC-
TION
ACT.



If either of Assessors shall, within the said ten days after notice, produce to Clerk of the Peace, or his deputy, receipt of such chief Constable for such duplicate, then Clerk of the Peace, or his deputy, shall deliver or transmit the warrants against such chief Constables, as have signed receipt, to proper Constable to whom directed, that same may be executed, and warrant of distress for levying the fine upon Assessor shall not be executed. Sect. 7.

Fines to be set upon chief Constables and Assessors shall, after levied, be, by the person levying same, paid to the Treasurer of the County, wherein the same shall be levied, or his *lawful** deputy, to be applied as part of the County stock, under the direction of the Sessions of County. Sect. 8.

Whenever any assessment shall not have been made by Assessor, and returned to chief Constable, and by him to Clerk of the Peace, Justices at Sessions, or any two County Justices, out of Sessions, may order such assessment forthwith to be made and returned in manner aforesaid; and they shall have same

* Why is the *Deputy* of the *Treasurer* of the County styled *lawful*, more than the *Deputy* of the *Clerk of the Peace*?

effect

ELEC-
TION
ACT.

effect as if made and returned at time and in manner before directed. Sect. 9.

If any person shall be dissatisfied, or think himself aggrieved by any determination of the said Commissioners of the Land-Tax, he may appeal against such determination to the Sessions for County, within which such Commissioners shall act, next after the cause of complaint shall have arisen, giving ten days notice of appeal to one of the Commissioners signing the duplicate of the said assessment, and also to one of the Assessors of the place where the estate belonging to the person who shall think himself aggrieved shall lie; and the Justices in Sessions are, by examination upon * oath, to hear and determine the appeal, and to amend assessments where necessary; and also to award reasonable costs; and by their order or warrant to levy the same by distress and sale, rendering the overplus (if any) to the owner, after deducting charges of distress. Sect. 10.

If the said Commissioners, or Justices in Sessions, upon appeal, shall find it requisite to insert in assessments, or duplicates, the name of any person, which shall appear to such Commissioners, or Justices, to have been improperly omitted, he shall be deemed to be rated in assessment, as effectually as if his name had been originally inserted in assessment. Sect. 11.

Where any woman, the widow of any tenant in fee or in tail, shall be entitled to dower, by common law, out of the freehold estate of

* Which oath the Justices are authorized by the Act to administer.

which

which her husband died seised, and shall intermarry with a second husband, he shall be entitled to vote in respect of such dower, if the same shall be of the clear yearly value of forty shillings, or upwards, although not assigned or set out by metes or bounds, if second husband shall be in the actual receipt of the profits of such dower, and the estate from whence the same issues is rated to, and contributes to the Land-Tax in the name of the actual owner of the lands or tenements from whence such dower arises. Sect. 12.

ELEC-
TION
ACT.

Every person, at all seasonable times, may resort to and inspect the said duplicates, in the hands of such Clerk of the Peace, or his deputy, paying for every search, or inspection, one shilling, and no more; and he is, upon demand, to deliver a true † copy of duplicates, or of such part of them as shall be demanded, to any person who shall desire the same, paying Clerk of the Peace, or his deputy, at the rate of sixpence, and no more, for every three hundred words or figures, and so in proportion for any lesser number; which duplicates, and true copy, signed as aforesaid, and also the duplicate of assessment in the possession of the Commissioners of the Land-Tax, or of the Receiver-General of the county, or true copy of duplicates, signed by Commissioners, shall be allowed and admitted as legal evidence of such

* Copy directed to be signed by Clerk of Peace, or his Deputy, purporting same to be true; and to be delivered in reasonable time after demanded. Id. ib.

assessments, certificates, memorials, and books of entries, in all cases whatsoever. Sect. 13.

Clerk of the Peace, in whose office duplicates shall be filed, or his deputy, shall, upon reasonable notice, attend at every election of a Knight of the Shire, with the said original duplicates, at the request of any candidate, or his agent; the person requesting the same making such Clerk of the Peace, or his deputy, a satisfaction for such attendance, at the rate of two guineas for each day of his attendance at such election, together with one shilling and sixpence a mile for the charges he may be at in his journey. Sect. 14.

After issuing writ or precept for the election of a Knight of the Shire for any county within Great-Britain, England, or Wales, Clerk of the Peace, or his deputy, shall attend, *gratis*, from day to day, from the hour of nine in the forenoon to three in the afternoon, at place where records of county are usually kept, from the time of the delivery of notice to the day immediately preceding the day of election, for receiving applications for the inspection and making copies of duplicates requested. Sect. 15.

If Clerk of the Peace, or his deputy, shall not permit such duplicates to be inspected by person requesting the same as aforesaid, or not deliver copy within the time before mentioned, or shall neglect to attend as aforesaid at the place where records of county are usually kept, or at any county election, with such duplicates; every such Clerk of the Peace, or his deputy, shall, for every such offence, forfeit five hundred pounds to the party aggrieved, provided such action is brought

brought within * two months after offence; and if no action be brought within time, then to any person suing for same in manner after mentioned; and shall also forfeit his office of Clerk of the Peace, or deputy, same to be absolutely void on his conviction; and he shall be rendered incapable of being again appointed, or of acting as such, for any county whatsoever. Sect. 16.

ELEC-
TION
ACT.

Final judgment upon any verdict against Clerk of the Peace, or his deputy, for recovery of forfeiture, shall be taken to be a sufficient conviction, without other prosecution whatsoever; and immediately after judgment, office of Clerk of the Peace, or of his deputy, shall be void. Sect. 17.

The forfeitures or penalties laid on Clerk of the Peace, or deputy, may be recovered, with full costs of suit, by action of debt, bill, plaint, or information, in any court of record at Westminster, wherein no essoin, protection, or wager of law, or more than one imparlance, shall be allowed. Sect. 18.

No person shall be liable to any forfeiture or penalty, unless prosecution be within twelve calendar months next after same shall incur. Sect. 19.

* Quere, if *calendar* or *lunar* months, as they are not specified here, and as they have been in former sections of the Act?

20 G E O. III.

AN ACT FOR GRANTING TO HIS MAJESTY SEVERAL ADDITIONAL DUTIES ON ADVERTISEMENTS; AND CERTAIN DUTIES ON RECEIPTS FOR LEGACIES, OR FOR ANY SHARE OF A PERSONAL ESTATE DIVIDED BY FORCE OF THE STATUTE OF DISTRIBUTIONS, OR THE CUSTOM OF ANY PROVINCE OR PLACE.

C H A P. XXVIII.

ADVER-
TISE-
MENT
ACT.

AFTER the first day of June, one thousand seven hundred and eighty, there shall be raised, throughout Great-Britain,

For every advertisement in the Gazette, or other printed paper in Great-Britain, to be dispersed weekly or oftener, over and above all other duties, an additional duty of sixpence :

For every advertisement in or with any paper or pamphlet, in Great-Britain, to be made public yearly, monthly, or at any other interval of time exceeding one week, over and above all other duties, an additional duty of sixpence :

For every skin or piece of vellum or parchment, or sheet or piece of paper, upon which any receipt or other discharge for any legacy by any will, or testamentary instrument, or for any share or part of a personal estate divided by force of the Statute of Distributions, (22 and 23 Car. II. chap. 10.) or the custom

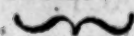
custom of any province or place, shall be ingrossed, written, or printed, which shall not exceed twenty pounds, a Stamp-Duty of two shillings and sixpence; and where it shall amount to the value of twenty, and not to one hundred pounds, a Stamp-Duty of five shillings; and where to one hundred pounds and upwards, a Stamp-Duty of twenty shillings. Sect. 1.

ADVER-
TISE-
MENT
ACT.

All the said duties shall be under the management of the Commissioners of the Stamp-Duties, the major part of whom are to employ the necessary officers, and to provide requisite Stamps to denote the said duties, and to do all other things necessary for putting this Act in execution, with relation to the said duties, as the major part of them are authorised to put in execution any former Stamp-Duty law. Sect. 2.

All vellum, parchment, or paper, upon which any receipt or discharge for legacy, or for any share or part of a personal estate divided by force of the Statute of Distributions, or the custom of any province or place, or any part thereof, shall, before the same shall be ingrossed, written, or printed, be brought to the head Stamp-Office; and the said Commissioners shall stamp any quantities of vellum, parchment, or paper, upon payment of the said duty, to be paid by the person giving receipt or discharge; and if receipt or discharge, directed to be stamped, shall not be stamped as directed, or marked for a lower duty, no such receipt shall be pleadable or admissible in evidence in any court. Sect. 3.

Same



Same allowance on present payment of duties, as by any former Stamp law. Sect. 4.

Stamps as Commissioners are directed and authorised to provide and use, may be altered and renewed as any other Stamps. Sect. 4.

If any person shall counterfeit or forge, or procure so to be, any Stamp, or shall resemble the impression of the same, with an intent to defraud his Majesty of any of the said duties, or shall privately or fraudulently use any Stamp, with intent to defraud, every offender shall be adjudged a felon, and shall suffer death, without clergy. Sect. 5.

All powers, matters and things by any former Stamp-Duty Act, shall be of full force, and put in execution for raising and securing the said new duties, as fully as if the same had respectively been enacted with relation thereto. Sect. 6.

Duties shall be paid into the hands of the Receiver-General of the Stamp-Duties, who shall keep a separate account of them, and pay the same (the necessary charges deducted) into the receipt of the Exchequer, for the uses in Act mentioned, as any former Stamp-Duties. Sect. 7.

There shall be provided and kept in the office of the Auditor of the said receipt of Exchequer, a book or books, in which all the monies arising from the said duties, and paid into the said receipt, shall be entered apart from all other monies payable to his Majesty, upon any account whatsoever; and the said money shall, together with such other duties and revenues as shall be granted by any Act of this session of Parliament, be a fund for
th:

the payment of the several annuities, and all such other charges and expences payable pursuant to Stat. 20. Geo. III. chap. . intituled, " An Act for raising a certain sum of money by way of annuities, and for establishing a lottery." Sect. 8.

ADVER-
TISE-
MENT
ACT.

If any person shall be sued for executing this Act, or any clause, matter or thing herein, he may plead the general issue, and give the special matter in his defence; and if upon the trial a verdict shall pass for the defendant, or plaintiff be nonsuited, then defendant shall have treble costs. Sect. 9.

AN

20 G E O. III.

AN ACT FOR GRANTING TO HIS MAJESTY
 ADDITIONAL DUTIES UPON MALT, AND
 UPON LOW WINES AND SPIRITS MADE FOR
 HOME CONSUMPTION, AND UPON FOREIGN
 SPIRITS IMPORTED INTO GREAT BRITAIN,
 AND UPON THE PRODUCE OF THE SAID SE-
 VERAL DUTIES; AND FOR GRANTING A
 DUTY ON LICENCES TO BE TAKEN OUT BY
 ALL PERSONS TRADING IN, VENDING, OR
 SELLING OF COFFEE, TEA, OR CHOCOLATE.

C H A P. XXXV.

MALT
 ACT.

AFTER the thirtieth day of May, one
 thousand seven hundred and eighty,
 there shall be raised upon all malt, the duties
 after-mentioned; that is to say,

For every bushel of Malt made of barley,
 or other corn or grain, within England, Wales,
 and Berwick upon Tweed, whether for sale or
 not, sixpence, and so proportionably for any
 greater or less quantity; to be paid by the
 maker over and above all other rates and im-
 positions. Sect. 1.

And upon every bushel of Malt made of
 barley, or other corn or grain, within Scot-
 land, whether for sale or not, three-pence,
 and so proportionably for any greater or less
 quantity; to be paid by the maker, over and
 above

above all other duties and impositions. MALT
ACT.
Sect. 2.

And upon every bushel of Malt brought from Scotland into England, Wales, or Berwick upon Tweed, three-pence, and so proportionably for any greater or less quantity; over and above the duty before granted upon Malt made in Scotland, and all other duties.

Sect. 3.

For every bushel of malt, ground or unground, made of barley, or of other corn or grain, for sale, or belonging to any seller or retailer of malt, brewer, distiller, inn-keeper, victualler, or vinegar-maker, either in his custody, or in any other persons whatever in trust for him, or for his use, benefit, or account, upon the said thirtieth day of May, Six-pence, in England, Wales, Berwick upon Tweed, and Three-pence in Scotland, and so proportionably for any greater or lesser quantity; to be paid by the person possessed of such malt, over and above all other rates, duties, or impositions. Sect. 4.

The said additional duty, which shall be in the possession of any such persons, on the said thirtieth day of May, shall be collected and paid in manner following; that is to say, one third part thereof on the thirtieth day of June, one other third part thereof on the thirty-first day of July, and the remaining third part thereof on the thirtieth day of August, one thousand seven hundred and eighty. Sect. 5.

In all cases where any person shall have sold or contracted for the sale of any malt, and shall not have delivered the same to the buyer, or contractor for the purchase thereof, before the said thirtieth day of May, every such sale

E

and

**MALT
ACT.**

and contract shall be as valid, as if this Act had not been made ; and the buyer or contractor for the purchase of any such malt, shall, at the time of the delivery thereof, pay to the seller or contractor for the sale of such malt (over and above the price agreed to be given for the same) all such money as shall have been charged for the duty thereon. Sect. 6.

All powers, directions, rules, methods, exemptions, deductions, bounties, penalties and forfeitures, clauses, matters, and things, which in and by Stat. 33 Geo. II. chap. 7, intituled, "An Act for granting to his Majesty several duties upon malt ; and for raising the sum of eight millions by way of annuities, and a lottery, to be charged on the said duties ; and to prevent the fraudulent obtaining of allowances in the gauging of corn making into malt ; and for making forth duplicates of Exchequer bills, tickets, certificates, receipts, annuity orders, and other orders, lost, burnt, or otherwise destroyed ;" or as are contained in any other Act of Parliament in the said Act mentioned or referred unto, are provided, for managing the duties thereby granted, or the payment of rents payable in malt, or according to the price of malt, other than in such cases for which other directions are prescribed by this Act, shall be put in execution, for managing the several duties, by this Act granted upon malt, as fully, as if all the said powers, matters, and things, were particularly repeated. Sect. 7.

After the said thirtieth day of May, there shall be paid and allowed, out of the monies to arise by the said duties on malt, to every com-

common brewer, or other person who brew beer or ale, and sell or tap out the same, over and above all other allowances, the following, viz.

**MALT
ACT.**

One shilling and four-pence, upon every barrel of beer or ale, above six shillings the barrel, exclusive of the duties of Excise, brewed by the common brewer, or by any other person selling or tapping out beer or ale, in London and Westminster, or the bills of mortality, and returned by the Gauger ; and so in proportion for any greater or less quantity.

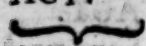
One shilling and eight-pence, upon every barrel of beer or ale, above six shillings the barrel, exclusive of the duties of Excise, brewed by the common brewer, or by any other person, selling or tapping out beer or ale, in England, Wales, or Berwick upon Tweed, not within London and Westminster, nor bills of mortality, and returned by the Gauger; and so for any greater or less quantity.

Four-pence, upon every barrel of beer or ale, or six shillings the barrel or under, brewed by the common brewer, or any other person, selling or tapping, publickly or privately, throughout England, Wales, and Berwick upon Tweed; and returned by the Gauger; and so in proportion for any greater or less quantity.

Ten-pence, upon every barrel of beer or ale, above six shillings the barrel, exclusive of the duties of Excise, brewed by the common brewer, or by any other person, who shall sell or tap out beer or ale, publickly or privately, within Scotland, and returned by the Gauger; and so in proportion for any greater or less quantity.

Sixpence, upon every barrel of two-penny
E 2 ale.

MALT
ACT.



ale, mentioned and described in the seventh article of the Treaty of Union, brewed within Scotland, and returned by the Gauger; and so in proportion for any greater or less quantity.

Three-pence, upon every barrel of six shillings beer or ale, or under, brewed by the common brewer, or any other person, who shall sell or tap out beer or ale, publickly or privately, within Scotland, and returned by the Gauger; and so in proportion for any greater or lesser quantity.

Which said several allowances shall be paid at the end of every four months after the duties shall have been paid for the same, and not sooner. Sect. 8.

If any common brewer, or other person, who brews beer or ale, and sells or taps out the same, publickly or privately, shall, by himself or by his agent or agents, after the end of four months after he shall have paid the duties for any beer or ale by him brewed after the said thirtieth day of May, produce to, and leave with, the Collector of Excise of the county, stewartry, or place, where the beer or ale, for which the allowances are to be made, was brewed, and where the duties were paid for the same, a certificate from the Officer who received the duties, that they have been actually paid, and that the same beer or ale was brewed since the said thirtieth day of May (which certificate the said Officer is to give gratis); then the said Collector shall, out of the monies arising from the duties upon Malt, forthwith pay to the person producing the said certificate, for every barrel of beer or ale mentioned therein, the allowances by this Act directed to be made; and in case the

said Collector shall not have sufficient money in his hands, arising by the duty upon Malt, to pay the same, then the respective Commissioners for the said duty are to pay the said allowances out of the said duty; and if it shall happen that the said respective Commissioners shall not have in their hands monies, arising by the said duties, sufficient to pay the said allowances, then they shall pay the said allowances out of any monies then in their hands. Sect. 9.

MALT
ACT.

Whatever sum or sums of money shall be so paid by the Commissioners, shall be replaced to the fund from which the same was borrowed, out of the first monies to be received upon account of the duty on Malt, in preference to all other payments. Sect. 10.

After the said thirtieth day of May, there shall be raised, throughout Great Britain, for the several kinds of spirituous liquors herein after-mentioned, made in Great Britain for home consumption, or imported from beyond the seas, over and above all former duties, the several following additional duties of Excise, viz.

For every gallon of low wines and spirits of the first extraction, made or drawn in Great Britain, for home consumption, from any sort of drink or wash, brewed or made from any sort of malt or corn, or from brewers wash or tilts, or any mixture with such brewers wash or tilts, to be paid by the distillers or makers thereof, one penny :

For every gallon of strong waters, or aqua vitæ, made for sale, for home consumption, of the materials aforesaid, by the distillers or makers thereof, three-pence :

For every gallon of low wines or spirits, of the first extraction, made or drawn in Great Britain,

MALT
ACT.

Britain, for home consumption, from any foreign or imported materials, or any mixture therewith, by the distillers or makers thereof, three-pence :

For every gallon of spirits, made or drawn in Great Britain, for home consumption, from any foreign or imported materials, or any mixture therewith, by the distillers or makers thereof, two-pence :

For every gallon of low wines or spirits, of the first extraction, made or drawn, for home consumption, from cyder, or any British materials, (except those before-mentioned), or any mixture therewith, by the distillers or makers thereof, one penny three-farthings :

For every gallon of spirits, made for sale, for home consumption, from cyder, or any British materials (except those before-mentioned) by the distillers or makers thereof, two-pence :

For every gallon of single brandy spirits, or aqua vitæ, imported into Great Britain from beyond the seas, by the importer before landing, one shilling :

For every gallon of brandy spirits, or aqua vitæ, above proof, commonly called double brandy, imported into Great Britain from beyond the seas, by the importer before landing, two shillings. Sect. 11.

Such of the said duties as are charged upon spirituous liquors made and manufactured in, or imported into England, Wales, or Berwick upon Tweed, shall be under the management of the Commissioners of Excise in England; and such of them as are imposed upon spirituous liquors made and manufactured, or imported into Scotland, shall be under the management of the Commissioners

ers of the Excise in Scotland ; and the major part of the said Commissioners may, by commission under their hands and seals, appoint under them necessary officers ; and all monies arising by the said duties in Great Britain, (the necessary charges of raising and accounting for the same excepted) shall be paid into the receipt of the Exchequer, distinctly from all other branches of the public revenue, subject to the uses after-mentioned. Sect. 12.

MALT
ACT.

The additional duty upon rum or spirits, of the growth, produce, or manufacture of the British Sugar Plantations, imported into this kingdom, shall be paid, as the duties of Excise heretofore charged on such rum or spirits are payable. Sect. 13.

The several additional duties on Malt, on low wines and spirits made for home consumption, and on spirituous liquors imported into Great-Britain, shall be moreover subject to an additional duty of five pounds *per centum* on the produce and amount thereof ; and such additional duty shall be raised, as the additional duty or charge of five pounds *per centum*, granted by Stat. 19 Geo. III. chap. 25. (intituled, " An Act for granting to his Majesty additional duties upon the produce of the several duties under the management of the respective Commissioners of the Customs and Excise in Great Britain") are to be collected and paid ; and all monies arising by the said additional duty (the necessary charges of raising and accounting for the same excepted) shall be paid into the receipt of the Exchequer, apart from all other branches of the public revenues, and liable to the purposes after-mentioned. Sect. 14.

After

MALT
ACT.

After the fifth day of July, one thousand seven hundred and eighty, there shall be paid a duty of five shillings for any licence to be taken out, in manner after-mentioned, by each person trading in coffee, tea, or chocolate. Sect. 15.

After said fifth day of July, no person trading in coffee, tea, or chocolate, shall presume by himself, or otherwise, either publicly or privately, to trade in coffee, tea, or chocolate, without a licence; for which he shall immediately pay down five shillings in manner following: If such licence be taken out within the limits of the chief office of Excise in London, then same shall be granted under the hands and seals of two or more Commissioners for the duties of Excise, or of such person as they appoint, and the duty shall be paid at the chief office of Excise in London; but if the licences be taken out in any part of England or Wales not within the said limits, then they to be granted under the hands and seals of the several Collectors and Supervisors of Excise, within their respective collections and districts; and the said duty of five shillings shall be paid to the Collector of Excise within whose collection licence shall be granted. And in case licence shall be taken out within the limits of Edinburgh, same shall be granted under the hands and seals of two or more Commissioners of Excise in Scotland, or of such person as they shall appoint, and the duties be paid at the chief office of Excise in Edinburgh; but if such licence be taken out in any other part of Scotland, without the limits aforesaid, then it shall be granted under the hands and seals of

of the several Collectors and Supervisors of Excise within their respective collections and districts, and the duties shall be paid to the Collectors of Excise within whose collection licence shall be granted. Sect. 16.

MALT
ACT.

Fresh licence to be taken out ten days at least before the expiration of twelve calendar months after taking out the first licence, before he presume to trade in coffee, tea, or chocolate; and so to renew every such licence from year to year, paying down the like sum of five shillings for every renewed licence, in manner, and at the places and times before-mentioned. And if any person shall, after the said fifth day of July, presume or offer to trade in coffee, tea, or chocolate, without first taking out such licence, and renewing the same yearly in manner afore-said, he shall forfeit twenty pounds. Sect. 17.

Persons in partnership, and carrying on their trade of selling coffee, tea, or chocolate, or one house or shop only, shall not be obliged to take out more than one licence in any one year; and no licence shall authorise any person to trade in coffee, tea, or chocolate, in any other house or place, except in such thereto belonging, wherein he shall dwell at the time of granting licence. Sect. 18.

Such of said duties as are charged upon licences in England, Wales, or of Berwick upon Tweed, shall be under the management of the Commissioners and Officers of Excise in England; and such of them as are charged upon such licences in Scotland, shall be under the management of the Commissioners of Excise in Scotland; the major part of which

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said

MALT
ACT.

said Commissioners shall be Commissioners for granting licences; and may, by commission under their hands and seals, constitute necessary Officers; and all monies arising by the said licences, (the necessary charges of raising and accounting for the same excepted) shall be paid into the receipt of the Exchequer, apart from all other revenues, subject as after mentioned. Sect. 19.

There shall be provided and kept in the office of the Auditor of the said receipt of Exchequer, a book or books, in which all the monies arising from the said duties, and paid, shall be entered separate from all other monies paid and payable, upon any account whatsoever; and the said money so paid shall, together with such other duties as shall be granted by any Act of this Session of Parliament, be a fund for the payment of the several annuities, and all such other charges and expences, payable pursuant to 20 Geo. III. chap. . intituled, "An Act for raising a certain sum of money by way of annuities, and for establishing a lottery." Sect. 20.

If the produce of the several duties granted by this Act, together with the other duties, granted in this Session of Parliament, for the payment of the several annuities of four pounds *per centum*, and of one pound sixteen shillings and three-pence *per centum*, in respect of twelve millions borrowed in pursuance of the last above mentioned and recited Act of this present Session of Parliament, for raising a certain sum of money by way of annuities, and for establishing a lottery, shall not be sufficient to discharge the annuity to be due on the said four pounds *per centum* annuities granted

granted by the said Act, for one quarter of a year, to the fifth day of April, one thousand seven hundred and eighty, and the several annuities of four pounds *per centum* from thenceforth payable half-yearly, as also the said annuity of one pound sixteen shillings and three-pence *per centum*, to continue for eighty years, from the fifth day of January, one thousand seven hundred and eighty, and then to cease, together with the other charges and expences attending the said respective annuities, to be paid out of the same, at the end of any or either of the half-yearly days of payment; then such deficiency may be supplied out of any of the monies which shall remain in the receipt of the Exchequer of the surplusses of the Sinking Fund (except such monies thereof as are appropriated by any former Act of Parliament); and if, before any monies of the said fund, so to be established, shall be brought into the Exchequer, there shall be a want of money for paying the said annuities actually due, then the money so wanted may be supplied out of the monies of the Sinking Fund, (except as before excepted), and issued accordingly. Sect. 21.

Whatever monies shall be issued out of the Sinking Fund, shall be replaced out of the first supplies to be then after granted in Parliament. Sect. 22.

In case there shall be any surplus or remainder of the monies arising by the said fund, after the said annuities, and all arrears are satisfied, or money sufficient be reserved, the same shall be reserved for the disposition of Parliament, and not be issued but by that authority,

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thority, and as shall be directed by future Acts. Sect. 23.

All powers, matters and things, by Stat. 12 Car. II. chap. 24, intituled, "An Act for taking away the Court of Wards and Liveries, and Tenures *in capite*, and by Knights Service, and Purveyance, and for settling a revenue upon his Majesty in lieu thereof," or by any other law relating to the excise upon beer, ale, or other liquors, are provided for managing the duties or penalties thereby granted, and for preventing frauds relating thereto (other than in such cases for which other penalties or provisions are prescribed by this Act), shall be put in execution for managing the duties hereby granted, as fully as if all the said powers, authorities, matters, and things, were particularly repeated. Sect. 24.

If any person assault or oppose any Officer of Excise in the due execution of this Act, he shall forfeit fifty pounds. Sect. 25.

All fines, penalties, and forfeitures, imposed by this Act, shall be sued for, recovered, levied, or mitigated, as any fine, penalty, or forfeiture may be, by any law of Excise, or by action of debt, bill, plaint, or information, in any Court of Record at Westminster, or in the Exchequer in Scotland; and one moiety thereof shall be to his Majesty, and the other to him who discovers, informs, or sues for same. Sect. 26.

If any person be sued for executing this Act, he may plead the general issue, and give the special matter in his defence; and if upon trial a verdict shall pass for defendant, or plaintiff be nonsuited, defendant shall have treble costs. Sect. 27.

AN

20 G E O. III.

AN ACT FOR GRANTING TO HIS MAJESTY ADDITIONAL DUTIES UPON SALT; AND FOR REGULATING THE EXPORTATION OF SALT TO THE ISLE OF MAN.

C H A P. XXXIV.

AFTER the tenth day of May, one thousand seven hundred and eighty, there shall be paid, for the use of his Majesty, upon all salt, (over and above the duties now payable thereon by any existing Acts of Parliament), the several additional duties following; that is to say,

SALT
ACT.

For every gallon of Salt, not being of the product or manufacture of Great-Britain, imported, after the said tenth day of May, into any part of Great-Britain, the sum of two-pence halfpenny of lawful money of Great-Britain, to be paid by the importer; and after that rate for a greater or lesser quantity :

For every gallon of Salt, and Rock Salt, that, from and after the said tenth day of May, shall be made at any Salt Works, or be taken out of any pit in England, Wales, and the town of Berwick upon Tweed, one penny farthing of like lawful money; and after that rate for a greater or lesser quantity ;

For every bushel of Salt, that, from and after the tenth day of May, shall be made at any Salt Works, or be taken out of any pit in
Scotland,

**SALT
ACT.**

Scotland, three-pence of like lawful money ; and after that rate for a greater or lesser quantity ;

And for every bushel of Salt, that, from and after the said tenth day of May, shall be imported from Scotland into England, Wales, or the town of Berwick upon Tweed, seven-pence ; and after that rate for a greater or lesser quantity ; to be paid by the importer :

Which said additional duties shall be raised, and secured by such means, and under such management, and subject to such penalties and forfeitures, and with such power of adjudging and mitigation, and subject to such allowances, repayments, drawbacks, rules, regulations, and directions, (not otherwise directed by this Act) as the present duties on Salt are or can, as if the same were repeated and again enacted. Sect. 1.

The monies arising by the said additional duties, shall be paid into the receipt of the Exchequer by the Commissioners for the duties on Salt in England and Scotland, at such times, and in such manner, as they are by any law now in force directed to be paid, (the necessary charges being deducted) for the uses and purposes in this Act mentioned, apart from all other monies which such Commissioners shall receive ; and there shall be kept, in the office of Auditor of the said receipt, a book or books, in which all the monies arising from the aforesaid duties, and paid as aforesaid, shall be entered separate from all other monies upon any account whatsoever ; and the said money, so paid as aforesaid, shall, together with such other duties and revenues, as shall be granted by any Act of this Session of Parliament

ment for this purpose, be a fund for the payment of the several annuities, and all such other charges as are directed to be paid pursuant to an Act of this present Session of Parliament, intituled, " An Act for raising a certain sum " of money by way of annuities, and for establishing a Lottery. Sect. 2.

SALT
ACT.

Whereas by Stat. 2 and 3 Ann. chap. 14. intituled, " An Act for the better securing and " regulating the duties upon Salt," it is (amongst other things) enacted, That any person exporting Salt to the Isle of Man according to the directions of the several Acts relating to the said duties thereupon, shall be entitled to a drawback of the duties so exported, as of exportation of Salt to other foreign parts : and whereas great sums of money are paid out of the duties upon Salt on account of debentures for British Salt shipped to be exported to the Isle of Man, and it is found, by frequent experience, that great part of such Salt has been fraudulently relanded in Great-Britain, without being carried to the Isle of Man, whereby the said duties are very much lessened ; therefore, after the said tenth day of May, no debenture shall be made, or drawback allowed to be paid, for the exportation of any Salt for the Isle of Man, until the exporter thereof shall produce, to the Officer appointed to make out such debenture, a certificate, under the hand of the chief Officer of the Customs of the port or place in the Isle of Man where such Salt shall be landed, or of the person executing such Office, of the particular quantity of Salt actually landed, to be computed after the rate of fifty-six pounds weight to the bushel, in case the same shall be White Salt, and after the

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ACT.**

rate of sixty-five pounds to the bushel, in case the same shall be Rock Salt ; which Salt the said chief Officer, or person executing such office, is to weigh, and without delay make out and deliver a certificate thereof as aforesaid, gratis. Sect. 3.

No drawback shall be allowed for more Salt of the quantity exported, than shall appear by certificate to have been actually landed in the Isle of Man. Sect. 4.

And after the said tenth day of May, upon producing such certificate as before required, of what quantity of White Salt and Rock Salt was actually landed there, the exporter or proprietor thereof shall have an allowance of four bushels for every forty bushels of White Salt, and of two bushels for every forty bushels of Rock Salt, put on board in order to be exported to the Isle of Man, in consideration of the ordinary waste in the carriage thereof, to be allowed upon the debenture before-mentioned, over and above the quantity certified to have been landed in the Isle of Man, as aforesaid, and no other or greater allowance for such waste. Sect. 5.

No debenture shall be made out or granted to the exporter for more than the quantity actually shipped, although the certificate of the quantity of Salt landed in the Isle of Man, together with the allowance for waste aforesaid, shall amount to more. Sect. 6.

After the said tenth day of May, in case any Salt or Rock Salt shipped for exportation to the Isle of Man, (the duties whereon shall have been paid or secured to be paid according to law) shall happen to perish by sinking of the ship, or shall be taken by enemies,

enemies, then the exporter or proprietor of Salt perishing or lost, shall, upon proof made before the Justices at Sessions, of the loss of such Salt so shipped, receive from the said Sessions a * certificate, that such proof was made before them, and upon producing the said certificate to the Officer of the place, where the duty on such Salt shall have been paid, or secured to be paid, such security shall be discharged, and so much money as was actually paid for the duty on the said Salt, shall be repaid upon demand by the said Officer, without proof be made by two credible witnesses, within two years next after loss or capture. Sect. 6.

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ACT.

There shall be no debenture made out, or drawback allowed, for any Salt to be landed in the Isle of Man, after the said tenth day of May, unless the entry of same at exportation be made for some place in the Isle of Man, Sect. 7.

If any person shall be sued for any thing done in pursuance of this Act, he may plead the general issue, and give the special matter in his defence; and if upon the trial a verdict pass for the defendant, or plaintiff become nonsuited, then defendant shall have treble costs. Sect. 8.

* Which certificate the said Justices are by the Act required to grant. Id. ib.

20 G E O. III.

AN ACT TO CONTINUE, FOR A LIMITED TIME, SO MUCH OF AN ACT MADE IN THE LAST SESSION OF PARLIAMENT, FOR THE MORE EASY AND BETTER RECRUITING HIS MAJESTY'S LAND FORCES AND MARINES, AS RELATES TO THE ENCOURAGEMENT OF VOLUNTEERS.

C H A P. XXXVII.

RE-
CRUIT-
ING
ACT.

ALL the provisions, clauses, matters, and things, in Stat. 19 Geo. III. chap. * 10. contained, so far as the same relate to the encouragement of Volunteers to enlist, and the several privileges, immunities, and advantages therein granted to such Volunteers, their wives and families, and also to the time for which such Volunteers shall be enlisted; and also all provisions relating to the entering their names, descriptions, and terms of service, in the pub-

* Intituled, " An Act for repealing an Act, made in the
" last Session of Parliament, for the more easy and better re-
" cruiting His Majesty's Land-Forces and Marines; and for
" substituting other and more effectual provisions in the place
" thereof."

lic book of the regiment or company to which he shall belong on his being enlisted or draughted, shall continue from the first day of May, one thousand seven hundred and eighty, until the first day of May, one thousand seven hundred and eighty-two, and from thence to the end of the then next Session of Parliament, in as ample manner, as if the same were re-enacted in this present Act.

RE-
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ING
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AN

20 G E O. III.

AN ACT FOR REPEALING STAT. 19 GEO. III. CHAP. 51. INTITULED, 'AN ACT FOR GRANTING TO HIS MAJESTY CERTAIN DUTIES ON LICENCES TO BE TAKEN OUT BY ALL PERSONS LETTING HORSES TO HIRE, FOR TRAVELLING IN THE MANNER THEREIN MENTIONED; AND CERTAIN DUTIES ON ALL HORSES LETT TO HIRE FOR THE PURPOSES OF TRAVELLING POST, AND BY TIME;' AND UPON CERTAIN CARRIAGES THEREIN MENTIONED; AND FOR GRANTING OTHER DUTIES IN LIEU THEREOF.

C H A P. LI.

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BY said above recited Act, it was enacted, that from 5th July, 1779, there should be paid throughout Great-Britain, for his Majesty, by every Postmaster, Innkeeper, or other person, in Great-Britain, who should lett to hire any Horse for travelling post by the mile, or from stage to stage, or, being a person usually letting Horses to hire, should so lett for a day, or any less period of time, any Horse for drawing any coach, chariot, chaise, or other carriage used in travelling post, annually, five shillings for a licence; for every Horse hired by the mile or stage to be used in travelling Post, in Great-Britain, one penny, for every mile such Horse should be hired to travel Post; and for every Horse hired for a day, or less, for drawing on a post or other public road, any coach, chariot, chaise, or other carriage

used in travelling Post, if the distance should be then ascertained, one penny per mile; and if not, twelve-pence for each Horse so hired; duty to be paid by hirer; every person who keeps any four-wheeled chaise, or Diligence or Post-coach, or by what name soever called or known, for conveying in the inside, not exceeding four, passengers, for hire, to and from stage to stage, or from place to place, five shillings for a licence; and for every four-wheeled chaise, or Diligence, or Post-coach, for conveying in the inside, not exceeding four, passengers, for hire, to and from stage to stage, or from place to place, one halfpenny per mile such carriage shall travel, to be paid by the owners thereof: as payment of said duties have been greatly evaded, it will be for the advantage of the public to repeal said duties, and to grant new ones. After first of August, 1780, the duties granted by said recited Act shall cease, and be no longer payable; except only such monies as shall have been received, or be payable, by the several Post-masters, Inn-keepers, and other persons, for the said duties, before said first August, and which shall be unaccounted for and unpaid by them to the several Collectors, and the several bonds given, and licences granted, in pursuance of said recited Act.

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After said first day of August, every Post-master, Inn-keeper, or other person, throughout Great-Britain, who shall lett to hire any Horse for travelling Post by the mile, or from stage to stage, or, being a person usually letting Horses to hire, shall lett to hire for a day, or less, any Horse for drawing any coach, berlin,

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berlin; landau, chariot, calash with four wheels, chaise-marine, chaise with four wheels, or any calash, chaise, or chair with two wheels, or any other carriage used in travelling Post, or otherwise, by whatsoever name called or known, for which any duty, under the management of the Commissioners of Excise, is payable by any former statute now in force, shall pay annually five shillings for a licence; for every Horse hired by the mile or stage to be used in travelling Post, in Great-Britain, shall be charged a duty of one penny for every mile such Horse shall be hired to travel Post; and for every Horse hired for a day, or less, for drawing, on a Post or other public road, any of the above specified carriages, or any other carriage used in travelling Post, or otherwise, by whatsoever name called or known, for which any duty, under the management of said Commissioners, is payable by any former Statute now in force, shall be charged, if the distance shall be then ascertained, one penny per mile, and if not, one shilling and sixpence for each horse so hired; such duty to be paid by the hirer. Every person who shall keep any four-wheeled chaise or other machine, commonly called A Diligence or Post-coach, or by what name soever called or known, for the conveying in the inside thereof, not exceeding four, passengers, for hire, to and from stage to stage, or from place to place; or who shall keep any of the above specified carriages, or other carriage, by what name soever called or known, to be employed as public stage-coaches or carriages, for conveying passengers for hire to and from different places in Great-Britain, shall pay annually five shillings for a licence: and every

every four-wheeled chaise, or other machine, commonly called A Diligence or Post-coach, or by what name soever called or known, for conveying in the inside, not exceeding four, passengers, for hire ; and every of the above specified carriages, or other carriage, by what name soever called or known, to be employed as public stage-coaches or carriages for conveying passengers for hire to and from different places in Great-Britain, is charged with a duty of one halfpenny for every mile such carriage shall travel, to be paid by the owner. And the said duties shall be under the management of the Commissioners of the stamp duties ; the major part of whom are to appoint and employ such Officers under them, and to allow necessary salaries and incident charges ; and to provide and use fit stamps ; and to repair, renew, or alter the same, as there shall be occasion ; and to do all other necessary acts for executing this Act with relation to the said duties, as the major part of them are authorised to execute any stamp laws now in being. Sect. 2.

After said first day of August, no person required to be licensed, shall, unless hereby authorised, lett out any Horse for hire, either by the mile or stage, or draw any carriage above particularly specified, or any other carriage used in travelling Post, or otherwise, by what-soever names called or known, whereon any duty under the Commissioners of Excise is made payable, for a day, or less, upon pain of five pounds, to be recovered and applied as after directed. Sect. 3.

After the passing of this Act, any two or more of Stamp-duty Commissioners, or some person duly authorised by them, shall grant licences

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licences to such persons who shall apply for the same, to lett out Horses for hire, in manner aforesaid, within Great Britain, for one year, to commence from the said first day of August, upon all licences to be granted on or before that day; and upon licences to be first granted to any person after the said first day of August, to commence from the day of the date of every such licence; and every person who shall take out such licence for letting out Horses for hire, shall take out a fresh licence for another year ten days at the least before the expiration of that year, for which he shall be so licensed, if he shall continue to lett out Horses for hire; and shall in like manner renew such licence from year to year, paying down the respective sums due for such licences, as long as he shall continue to lett out Horses for hire. Sect. 4.

No licensed Post-master, Inn-keeper, or other licensed person whatsoever, shall keep more than one Inn, House, or other place, for letting Horses; but shall take out a distinct licence for each other place, which any such Post-master, Inn-keeper, or other person, shall so keep. Sect. 5.

Every licensed Post-master, Inn-keeper, or other person so licensed, shall cause * the words (Licensed to lett Post-horses) to be painted or written, in legible characters, either on a sign hung out, or in some visible place in the front of his house, stables, or out-offices, at the respective places at which he letts out Horses to hire as aforesaid, to denote that such Post-master, Inn-keeper,

* The Act does not say, *shall paint or write*, but only *cause* so to be.

or other person, is a letter or furnisher of Post
Horses, and authorised to furnish travellers HORSE
with the same pursuant to law; and if any ACT:
licensed Post-master, Inn-keeper, or other
licensed person, shall presume to lett out Hor-
ses for hire, without fixing or hanging out
such token as aforesaid, he shall forfeit five
pounds, to be recovered and distributed as
after directed. Sect. 6.

Every licensed Post-master, Inn-keeper, or
other licensed person, shall, if he furnish his
own † chaises, or other carriages, at the
same time with such Horses lett to hire to
travel post, mark or paint, or cause to be
marked or painted, on the outside pannel of
the door, or on some conspicuous part of the
chaise or other carriage so furnished, his
christian and surname, and the place of his
abode, in large and legible characters, and
continue the same thereupon so long as such
chaise or carriage shall be so used; and if any
person shall neglect the same, or cause to be
marked or painted any false or fictitious name,
or place of abode, on such chaise or other
carriage, he shall forfeit five pounds. Sect. 7.

Every licensed Post-master, Inn-keeper, or
other licensed Person, if he furnish his own
coaches*, &c. or other carriage as aforesaid,
at the same time with such Horses lett to hire,
for a day or less, for drawing on a post or
other public road, where such carriages shall
have a box or other outside seat for the driver
thereof, shall affix upon some conspicuous
part of the foot-board, or other part of such

* No other carriages but *chaises* are here mentioned.

† Here the carriages are all specifically enumerated, as in
Sect. 1.

box or seat, a brass or tin-plate, upon which there shall be marked or engraved the christian and surname of owner, and the place of his abode, in large and legible characters, and continue the same thereon, and replace the same as often as occasion shall require, during the time such coach or other carriage as aforesaid shall be so used; and where such carriages so furnished as aforesaid shall not have a box or other outside seat for the driver thereof, shall affix, upon a conspicuous part of the pole, shaft, or splinter-bar of every such chaise or other carriage as aforesaid, such plate, upon which there shall be marked or engraved the christian and surname of owner, together with the place of his abode, in large and legible characters, and continue the same thereon, and replace the same as often as occasion shall require, during the time any such chaise or other carriages as aforesaid shall be so used: and if any person shall mark or engrave, or cause so to be, any false or fictitious name or place of abode, on any such plate so to be affixed on any such coach, berlin, landau, chariot, chaise, or other carriage, he shall forfeit five pounds. Sect. 8.

The said Commissioners shall, at the time of issuing such licence as aforesaid, deliver to every Post-master, Inn-keeper, or other person, so to be licensed, printed or written papers, intituled, Stamp-office Weekly Account, in which shall be inserted the day of the week, and blanks left for the number of horses and miles, and for the day of the month, and the names of the postillions or drivers employed, to be filled up as after directed, according to the following form,

or such other said Commissioners shall judge convenient for keeping such accounts :

Stamp-Office Weekly Account.

A. B.

of C.

Week and Day.	Month and Day.	Names of Postillions or Drivers.						Duty.
		A. B.	C. D.	E. F.	G. H.	I. K.	L. M.	
		No. of Miles. Horses.	No. of Miles. Horses.	No. of Miles. Horses.	No. of Miles. Horses.	No. of Miles. Horses.	No. of Miles. Horses.	
Sunday								
Monday								
Tuesday								
Wednesday								
Thursday								
Friday								
Saturday								

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and shall also deliver a number of tickets, on which shall be printed or written the words Stamp Office, and also the word Horses, and 1, 2, 3, 4, 5, or 6, in figures, as the tickets may be intended to denote the numbers; and likewise the word Miles, except where the Horses are hired for a day, or any less period of time; and then, instead of the word (miles) the words (for a day) shall be inserted, and also the amount of the duty, at the rate of one shilling and sixpence for each Horse, according to the number of Horses expressed by figures on such ticket; and shall take especial care that all persons so licensed shall be sufficiently furnished with such account and tickets. And in case any officer employed in the execution of this Act, in relation to the said duties; shall not do any thing by this Act required, whereby any person sustain any damage, he shall be liable, in an action founded on this statute, to answer party aggrieved all damages, with treble costs. Sect. 9.

Every licensed Post-master, Inn-keeper, or other licensed person, shall, at the time of receiving his first licence, give security, by bond, to his Majesty, in fifty pounds, with condition that he will, whenever required, re-deliver, or cause to be re-delivered, the Stamp-office Tickets which he may have received, and remain unaccounted for by him; and that he will also deliver to the person properly authorised by the Commissioners to inspect the same, (and to receive the money due thereon) the Stamp-office account so delivered to him, faithfully made out, signed, and attested, as after directed, and make payment of all money due,

due, in pursuance of this Act; and also faithfully perform all directions herein contained; and in case of the non-performance, the said Commissioners, or the persons so appointed by them, may cause every such bond to be prosecuted; and in case of judgment against the defendant, the said Commissioners may refuse to grant him any licence to lett Horses in future. Sect. 10.

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Every licensed Post-master, Inn-keeper, or other licensed person, who shall lett Horses to hire by the mile or stage, to be used in travelling post, shall, previous to the using such Horses, demand from the person hiring the same, one penny per mile, for each mile such Horse shall be so hired to travel, at rate of miles which he shall charge such traveller for the stage or distance such Horse may be hired to go; and shall at the same time deliver, or cause to be delivered, to the person hiring Horses, the Stamp-office tickets before-mentioned, and to which such Post-master, Inn-keeper, or other person, shall add, or cause to be added, if an Inn-keeper, the name of his sign or house, if not an Inn-keeper, his name; and he shall also insert the name of the place, where such licensed person resides; and, in words or figures, the month and day of the month, and the number of miles for which such Horses are so hired. And if any such Post-master, Inn-keeper, or other person, under pretence of there not being any turnpike upon the road through which he may be hired to go, or under any other pretence whatsoever, shall neglect to demand the said duty of one penny per mile, or shall neglect or refuse to deliver the tickets, filled up
as

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as herein-before directed, Post-master, Inn-keeper, or other person, shall forfeit ten pounds; and moreover, in case of not receiving the said duty, be chargeable therewith. Sect. 11.

Every traveller to whom the tickets, whereon shall be expressed the number of miles, shall be delivered as aforesaid, if they shall pass through any turnpike, shall, at the first through which he shall pass, deliver, or cause to be delivered, to the toll-gate keeper there, the tickets so given to him at the place where he hired such Horse, which the said toll-gatherer is directed to receive and file; and if any traveller so going post as aforesaid, shall have neglected to take such tickets, or shall not deliver, or cause the same to be delivered, he shall, before such Horses be permitted to pass through such toll-gate, pay for every Horse hired and used one shilling and six-pence, which the gate-keeper is authorised to demand, and not permit such Horse to pass till he shall have paid the same, or produced tickets. Sect. 12.

Every licensed Post-master, Inn-keeper, or other licensed person, who shall lett to hire any Horse by the day, or less, shall, previous to such Horse being used, demand from the person hiring the same, one penny per mile for each mile such Horse shall be so hired to go, where the distance shall be ascertained, and where not, then one shilling and six-pence for each Horse so hired, previous to such Horse being used; and shall deliver, or cause to be delivered, to the person so hiring such Horse, the Stamp-office tickets herein-before-mentioned, with the words (for a
(day

day) inserted thereon; and to which every Post-master, Inn-keeper, or other person, shall add, or cause to be added, if an Inn-keeper, the name of his sign or house, if not an Inn-keeper, his name; and he shall also insert the name of the place where such licensed person resides, and, in words or figures, the month, and day of the month. And if any Post-master, Inn-keeper, or other person, shall neglect to demand the said duty of one penny per mile, or one shilling and six-pence for each Horse, from such person hiring the same, or shall neglect or refuse to deliver the tickets so filled up, such Post-master, Inn-keeper, or other person, shall forfeit ten pounds; and moreover, in case of not receiving the said duty, be chargeable therewith. Sect. 13.

Every person to whom such day-ticket, as aforesaid, shall be delivered, if he shall pass through any turnpike in the course of the day for which such ticket shall be given, shall, at the first turnpike through which he shall pass, deliver, or cause to be delivered, to the toll-gate-keeper there, the day-ticket so given to him at the place where he hired such Horse, which the said toll-gate keeper is directed to receive and file; and in return for such day-ticket, every such person shall receive, from the said toll-gate-keeper, a ticket (called an exchange ticket), to be supplied from the Stamp-office, which shall contain the name of the county in which the turnpike shall be, and the words (received day-ticket); and also the number of Horses in the figures expressed in such day-ticket, together with the name of the place at which

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which such day-ticket was given; and some mark or number, denoting the particular day on which such exchange ticket was issued, in printed or written letters or figures; which said exchange ticket the said toll-gatherer is directed to deliver to such person gratis, in return for such day-ticket so left with him as aforesaid; and which said exchange ticket so delivered shall be shewn by such person at every turnpike through which he shall afterwards on that day pass with such Horse, for which such day-ticket shall have been given. And if any person, to whom such day-ticket or tickets shall be delivered as aforesaid, shall neglect or refuse to leave the same at such first turnpike, as aforesaid, or shall refuse to shew the ticket, so given to him in exchange, at every turnpike through which he shall on that day pass, as aforesaid, he shall pay, for every Horse then used by him, one shilling and six-pence before such Horse shall pass through such turnpike, and the gate-keeper is authorised to demand and retain the same to his own use; and where the name of the owner of the carriage shall be marked, then such gate-keeper shall not permit such Horse to pass through until such traveller shall have paid the same, or left such day-ticket, or shall have produced and shewn such exchange-ticket, as aforesaid.

† If any person shall take off, or cause to be taken off, the plate, directed to be affixed on carriages, with intent to evade the payment of the duty, or the one shilling and six-pence for each Horse to be paid at the turnpike; every offender shall forfeit five pounds,

to be recovered and applied in the same manner as the other penalties in this Act. POST
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Sect. 14.

In case any carriage, upon which any brass or tin plate is directed, shall pass through any turnpike without such plate, the driver shall forfeit twenty shillings, to be recovered and applied as after appointed.
Sect. 15.

Every licensed Post-master, Inn-keeper, or other licensed person, when he shall lett to hire for two days, or longer, any Horses for drawing carriage on any post or public road, shall deliver, or cause to be delivered, to the person travelling in such carriage, or driver, a note or certificate, to be supplied from the Stamp-office, on which shall be engraved or printed, (hired for two or more days,) and to which such Post-master, Inn-keeper, or other person, shall add the day of the month, and the name and place of his abode; and the driver shall, at every turnpike through which he shall pass, shew to the Toll-gatherer there the certificate so given to him as aforesaid: and if any person so hiring such Horses, shall have neglected to take such note as above specified, or shall refuse to shew the same at the several turnpikes through which he shall pass, such traveller shall pay, for every horse then used by him, one shilling and six-pence, before such horses be permitted to pass such toll-gate, which the said Toll-gate keeper is authorised to demand, and to retain to his own use, and not to permit such Horses to pass till such travellers shall have paid the same, or produced such note; and if any licensed Post-master,
↓
Inn-

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Inn-keeper, or other person, shall, in such certificate, insert any false or fictitious name, or place of his abode, or shall, in letting out such horses, by any device or collusion pretend to hire for a longer time, with an intent to evade the duty hereby imposed, such Post-master, Inn-keeper, or other person, shall forfeit ten pounds; and the said Commissioners shall, if they think fit, after conviction, refuse offender licence in future. Sect. 16.

Every Horse, hired for the purpose of drawing any carriage as aforesaid, for any less time than two complete days, shall be deemed, for the purposes of this Act, to be hired for a day, and shall be subject to all the rules, regulations, and restrictions, as Horses hired for a day, or less, for drawing such carriages, are made liable to. Sect. 17.

Every Toll-gate keeper who shall have received any of the day-tickets, and shall refuse to give any traveller, gratis, the exchange-ticket, or who shall deliver the same without having received in lieu thereof the Stamp-office day-ticket, or who shall make, or permit or suffer to be made, any alteration in any of the tickets to be filed, after such tickets shall have come to his custody, or shall deliver any of the tickets, to be received and filed, to any person than duly authorised to receive the same, shall forfeit twenty shillings, to be recovered as after directed. Sect. 18.

Every Post-master, Inn-keeper, or other person, so licensed to lett Horses as aforesaid, shall insert in the account, so delivered to

him from the Stamp-office, the number of ^{POST HORSE} _{ACT.} Horses used in travelling post, and of miles such Horses shall have been so used, also the number of Horses lett to hire for a day, or less, and the day of the month on which the same were used, together with the names of the postillions or drivers; which said account shall be signed by licensed Post-master, Inn-keeper, or other licensed person, and witnessed by the hostler or servant employed in preparing and getting ready such Horses, and shall be open, when required, to the inspection of any person duly authorised, under the hands and seals of the said Commissioners, to inspect the same. And such licensed Post-master, Inn-keeper, or other licensed person, residing in London or Westminster, shall, the first Tuesday or Wednesday in every month; and such other licensed person, residing within five miles of London or Westminster, or bills of mortality, shall, the first Thursday or Friday in every month, or at such other times as may be appointed by the said Commissioners, on public notice given in the Gazette, bring in and deliver to the Commissioners, or to the person appointed by them for the purpose of receiving the same, at the head office, the accounts herein-before directed, for the four weeks ending on the Saturday preceding such day of delivery, and shall, within eight days thereafter, pay such money which shall appear to be due thereon to the Receiver-general of the Stamp duties, or to the proper Officer for collecting the said duties, at the head office in Lincoln's Inn, or wherever else the same may be held, upon

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pain of forfeiting ten pounds for every default in not delivering in such account, and double the amount of the money so due and payable, from such Post-master, Inn-keeper, or other person, for the said duties. Sect. 19.

Every licensed Post-master, Inn-keeper, or other licensed person, not residing in London or Westminster, or five miles of the same, or the bills of mortality, shall, at such times and places to be appointed for that purpose, as after mentioned, produce and deliver the accounts before directed for the weeks ending on the Saturday preceding such delivery, and then unaccounted for to the person duly authorised and commissioned, under the hands and seals of three of the said Commissioners to receive such accounts, and the money due thereon, and at the same time pay to such person all money which shall appear to be due upon such accounts, under the penalty of ten pounds for every default, and double the amount of the money due from such Post-master, Inn-keeper, or other person, for the said duties. Sect. 20.

Every licensed Post-master, Inn-keeper, or other licensed person, shall enter, or cause to be entered, in his weekly account, the tickets so issued by him, on the day in which the same shall be issued; and if any Post-master, Inn-keeper, or other person, shall date any of the posting-tickets, or day-tickets, by him delivered otherwise than as the same shall, at time of delivery, be entered in his weekly account, he shall forfeit twenty shillings, to be recovered and applied as after directed. Sect. 21.

Every ticket, delivered from the Stamp-office, with the number of miles, shall be deemed a ticket upon which the duty has been received, and be accounted and paid for by the Post-master, Inn-keeper, or other person, according to such number of Horses and miles marked thereon. Sect. 22.

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Every licensed Post-master, Inn-keeper, or other licensed person, who shall be guilty of any wilful concealment, or making false accounts, or any other fraudulent contrivance or pretence, with intent to defraud, shall forfeit twenty pounds, to be recovered as after directed; and the said Commissioners may, after judgment, refuse offender licence in future. Sect. 23.

Every Post-master, Inn-keeper, or other person, who shall take the hire for such Horses by the mile, or from stage to stage, shall be considered as the person to whom the duties shall be paid, and shall be chargeable with and accountable for the same, as if such Post-master, Inn-keeper, or other person, was the actual proprietor of such Horses, although the same may belong to, and be the property of, any other licensed person. Sect. 24.

No Post-master, Inn-keeper, or other person, at whose inn, house, or other place, kept for letting Horses to hire, any traveller shall change Horses, shall lett to hire any Horse but by the mile or stage; and if any Post-master, Inn-keeper, or other person, shall act contrary hereto, he shall forfeit five pounds, to be recovered as after mentioned. Sect. 25.

Every

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Every Toll-gate-keeper shall demand and receive, from the Collector to whom he shall deliver the day-tickets and posting-tickets, as after directed, three-pence for every pound sterling which the duties upon any such tickets shall amount unto, and at that rate for any less sum than a pound; and such Collector is to pay and allow the same accordingly; and such allowance shall be over and above the privilege of retaining the money by him, collected from traveller or person who shall not have delivered him tickets as aforesaid. Sect. 26.

Every Toll-gate keeper shall, for the compensation aforesaid, bring, or cause to be brought, the tickets by him received, if within five miles of London, then to the head office there, or to such other place within the bills of mortality as the Commissioners shall appoint; and if beyond, then to such places, and at such times, as the Collector appointed to collect such duties shall require, and deliver up, or cause to be delivered up, such tickets to the Receiver-general or Collector to be appointed as aforesaid. Sect. 27.

Every Toll-gate keeper who shall have received such Stamp-office tickets as aforesaid, who shall not bring, or cause to be brought, such tickets, at the times and places aforesaid, shall, upon demand made at the gate of such turnpike, deliver such tickets to the Collector to be appointed by the said Commissioners as aforesaid; and if any Toll-gate keeper shall refuse to deliver up all such Stamp-office tickets, so received by him, upon demand, he shall, for each ticket he shall so refuse to deliver up, forfeit

feit five shillings, to be recovered as after directed. Sect. 28.

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If any Toll-gate keeper shall neglect or refuse to receive from any person, any ticket hereby directed to be delivered to such Toll-gate keeper as aforesaid, or shall neglect or refuse to file the same, he shall forfeit twenty shillings, to be recovered as after directed. Sect. 29.

In case any Toll-gate keeper shall demand, or agree to take more money than authorised, he shall forfeit twenty shillings, to be recovered as after appointed. Sect. 30.

Every licensed Post-master, Inn-keeper, or other licensed person, not residing in London or Westminster, nor the bills of mortality, shall, at the times and at the places to be mentioned at the foot of the first licence, when delivered, and afterwards at the foot of every receipt given by Collector for the money paid in by him, on account of the said duties, attend, and there deliver in and pass his account, and pay the duty received to Collector: provided that no such person shall be compelled to travel, if he live in a market-town, out of the said town, or if out of market-town, then to no other place than to the market-town * *nearest* his habitation. Sect. 31.

This Act not to extend to Horses used in Hackney-coaches, where they draw such coaches to no greater distance than ten miles from London and Westminster, and the suburbs thereof. Sect. 32.

* See our observation on the word *next* in fol. 12.

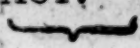
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Every horse hired by the mile, or stage, shall be deemed to be hired to travel Post, within this Act, although the person hiring the same do not go or travel several stages upon a Post-road, or change Horses ; and although, at the stage or place at or to which such Horse shall be hired, there shall not be any Post-house ; and although there shall not be any Post on the road, or any part thereof, upon which such Horse shall be hired to go. Sect. 33.

If any licensed Post-master, Inn-keeper, or other licensed person, shall die, his executors, administrators, or other persons succeeding to such inn, house, or other place, may lett Horses to hire in manner aforesaid, until such person shall procure licence, and give security, without being liable to penalty, provided licence be taken out within thirty days after the death of such Post-master, Inn-keeper, or other person ; and such person shall be subject in every respect as such Post-master, Inn-keeper, or other person was. Sect. 34.

After the said first day of August, every licensed Post-master, Inn-keeper, and other licensed person, shall, at the respective times of delivering their accounts to the Commissioners, or other persons appointed by them to receive the same, at the head office, or to the Collector authorised by the Commissioners to receive the same, and the money due therein, make oath, or, being one of the people called Quakers, affirmation, before such Commissioners, or other person appointed as aforesaid, or Collector, to the truth of the accounts then delivered, in the manner following :

I A, B,

I *A. B.* do swear (or affirm, as the case may require), that the several weekly accounts now by me delivered of the duties arising upon **POST HORSES ACT.**  Horfes, which I have lett for the purpose of travelling Post, or otherwise, from the day of _____ to the

day of _____ as far as the same have been entered and kept by me, are fair, just, and true accounts; and as far as they have been entered and kept by any other person or persons, I verily believe to be true.

Sect. 35. *So help me G O D.*

After the said first day of August, no person who shall keep any four-wheeled chaise, or other machine, commonly called A Diligence or Post-coach, or by what name called or known, for the purpose of conveying in the inside thereof, not exceeding four passengers, for hire, from stage to stage, or from place to place, or who shall keep any coach, * &c. by what name called or known, to be employed as public stage-coaches or carriages, for the purpose of conveying passengers, for hire, to and from different places within Great-Britain, shall lett out the same, without having first obtained a licence under the hands of two of the said Commissioners, or some person duly authorised by them, upon forfeiture, for every time such diligence, or other machine, shall be so used, five pounds, to be recovered and applied as after directed. Sect. 36.

After passing this Act, any two or more of the said Commissioners, or some person duly authorised by them, shall grant licences, under their hands and seals, to any person who shall apply for the same, to lett out for hire any such

* The carriages are here specifically mentioned, as in Sect. 1. diligence,

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diligence, coach, or other carriage, directed to be licensed by virtue of this Act, for one year, to commence from the said first day of August, upon all licences to be granted on or before that day; and upon licences to be first granted to any person after the said first day of August, to commence from the day of the date of such licences; which said licence shall be renewed at least ten days previous to the expiration of the year for which it was granted; and if the person so licensed shall continue to lett out for hire such diligence, or other machine, coach, or other carriage, hereby directed to be licensed, he shall, in the same manner, renew such licence from year to year, paying down the respective sums due for such licence, and so yearly, as long as he shall continue to lett out such diligence, or other machine. Sect. 37.

No person so licensed shall, by virtue of one licence, keep more than one diligence, coach, or other carriage. Sect. 38.

Every person so licensed to use any diligence or other machine, for conveying in the inside thereof, not exceeding four passengers, or any coach or carriage to be employed as public stage-coaches, shall pay one halfpenny for every mile every such diligence, machine, coach or other carriage, shall be so used or travel. Sect. 39.

Every person so licensed to use such diligence or machine, or any coach or other carriage, to be employed as public stage-coaches as aforesaid, at the time of receiving such licence, shall declare from what place and to what place such diligence or machine, coach or other carriage is intended to be used, distinguishing the

the distance or number of miles between the two extreme places such diligence, coach, or other carriage is to go, and the number of journies, each such diligence, coach, or other carriage, is so intended to be used, either in the day, or in the week, as the case may happen to be, that the same may be inserted in such licence; and every person so licensed shall give security, by bond, in twenty pounds, with a condition for the faithful accounting for and paying such sums as may be due for the journies such diligence, coach, or other carriage may have so made. Sect. 40.

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All diligences, coaches, or other carriages, to be licensed, that shall go from London or Westminster, to any place in the country, or that shall come from the country to any place in London or Westminster, shall be licensed by the Commissioners, or some person authorised by them, at the Head Office in Lincoln's-Inn, or wherever else the same may be held. Sect. 41.

The major part of the said Commissioners, or such Officers as they shall appoint, shall make just allowances to any person licensed to use any diligence or carriage, where the distance to be expressed in their licence does not exceed twelve measured miles, upon oath made by the owner, before the major part of the said Commissioners, or such Officers so to be appointed, as to the number of journies actually made in a day by such diligence or other carriage, where the same shall differ from the number expressed in such licences; and the major part of the said Commissioners are to make necessary regulations with respect to such diligences or other carriages, where such allowances are

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applied for, as well for the effectual securing the duties on such diligences, or other carriages, as doing justice to the owners. Sect. 42.

Every person so licensed, shall mark or paint, or cause to be marked or painted, on the outside pannel of each door thereof, before he shall use the same, his christian and surname, mentioning the place from whence they set out, and to which they are going, in plain and legible characters; and every proprietor of every such diligence, coach, or other carriage, licensed to go from London to any other place, or from any other place to London, shall, on the first Monday in every month, between the hours of eight in the morning and two in the afternoon, unless the same be an Holiday, and then on the next day, clear the said duties charged and become due by virtue of this Act, by paying the same to the Receiver-General of the stamp duties, or to the proper Officer for collecting the same, at the Head Office in Lincoln's-Inn, or wherever else the same may be held; and if proprietor shall be licensed from any town in the Country to any other town than London, then such proprietors shall clear the said duties by paying the same to the person duly authorised, by commission under the hands and seals of three Commissioners of the stamp duties, under the penalty of five pounds. Sect. 43.

Every licensed proprietor of any diligence, coach, or other carriage, who shall discontinue the use of the same, shall give notice, in writing, seven days at the least before he, she, or they shall lay down the same, and shall have such notice indorsed upon his licence or bond so to be given, and from thenceforth, on pay-
ment

ment of all arrears, shall be no longer charged, or chargeable for the same. Sect. 44.

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Said Receiver-General at the Head Office, and the said other Collectors duly appointed to receive the duties, shall make an allowance to the several licensed Post-masters, Inn-keepers, and other licensed persons, for all monies by them paid on account of the duties; and they shall be entitled respectively to deduct for their own use after the rate of three-pence in the pound, out of the monies by them regularly accounted for and paid to such Receiver-General, or other Collector. Sect. 45.

If any person shall falsely make, forge, or counterfeit any ticket, or cause so to be, or wilfully act or assist therein, with an intent to defraud the King of any of the said duties; or shall publish as true any such ticket, with such intent, every offender shall forfeit fifty pounds, to be levied as before declared. Sect. 46.

All pecuniary penalties shall be divided and distributed (if sued for within three calendar months from the time of penalty incurred) in manner following; one moiety thereof to his Majesty, and the other, with full costs, to the person who shall inform and sue for same. Sect. 47.

All such pecuniary penalties, amounting to twenty pounds or more, shall be sued for in any Court at Westminster for offences committed in England, Wales, or Berwick upon Tweed, and in Court of Sessions, of Justiciary, or of Exchequer in Scotland, for offences committed in Scotland, by action of debt, bill, plaint, or information, wherein no essoin, protection, privilege, wager of law, or more than one imparlance, shall be allowed. Sect. 48.

Such

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Such division or distribution of the penalties shall be restricted to prosecuting within the said limited time ; and in default of such prosecution within the time aforesaid, no informer shall be entitled to any part of penalties, but the whole shall belong to his Majesty, and be recoverable in manner aforesaid. Sect. 49.

Justice residing near the place where the offence committed, may hear and determine any offence which subjects the offender to any pecuniary penalty not amounting to twenty pounds ; which said Justice is, upon any information exhibited, or complaint made, in that behalf, to summon the party accused, and also the witnesses on either side, and examine into the fact ; and upon due proof, either by the voluntary confession or oath of one credible witness, to give judgment as by this Act is directed, and to issue out his warrants, under his hand or seal, for the levying any pecuniary penalties or forfeitures so adjudged, on the goods of the offender, and to cause sale to be made thereof, in case they shall not be redeemed within six days, rendering to the party the overplus (if any) ; and where the goods of such offender cannot be found sufficient to answer the penalty, to commit such offender to prison, there to remain for three months, unless such pecuniary penalty shall be sooner paid and satisfied ; and if any person shall find himself aggrieved by the judgment of any such Justice, then he may, upon giving security to amount of forfeiture, together with costs on affirming judgment, appeal to Justices at next General Quarter Sessions, who are to summon and examine witnesses upon oath, and finally to hear and determine the same ; and in case
the

the judgment of such Justice shall be affirmed, Justices may award the person to pay costs of appeal. Sect. 50. POST
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If any person shall be summoned as a witness, to give evidence before such Justice, touching any of the matters relative to this Act, either on the part of the prosecutor, or of the person accused, and shall neglect or refuse to appear at the time and place appointed, without a reasonable excuse for neglect or refusal, to be allowed of by such Justice, or appearing, shall refuse to be examined on oath, and give evidence before such Justice before whom the prosecution shall be depending, that then every such person shall forfeit forty shillings, to be levied as before directed. Sect. 51.

All summonses issued by any Justice, in pursuance of this Act, against the owners or proprietors of any diligences, coaches, or other carriages, required to be licensed by this Act, that shall be left at the Inn, or other place, where the diligence, coach, or other carriage, shall put up, with the Book-keeper, or other person who shall keep the books for taking places in such diligences, coaches, or other carriages, shall be deemed good service on the owners or proprietors of such diligences, coaches, or other carriages, although such owners or proprietors shall not have a residence or habitation at such Inn or place. Sect. 52.

Conviction to the effect following (*mutatis mutandis*), shall be good, without particularly stating the case, or facts, or evidence, that is to say :

BE it remembered, that on the
day of _____ in the year
of our Lord _____ at _____
in _____

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in the County of *A. B.*
came before me, *C. D.* Esquire, one of his Ma-
jesty's Justices of the Peace for the said County,
residing near the place where the offence was
committed, and informed me that *E. F.* of
on the

day of *now last past*, at
in the said County, did
[*here set forth the fact for which the information*
is laid]; whereupon the said *E. F.* after being
duly summoned to answer the said charge, ap-
peared before me on the

day of *at*
in the said County, and having heard the
charge contained in the said information, de-
clared he was not guilty of the said offence,
[*or, as the case may happen to be,*] did not ap-
pear before me pursuant to the said summons,
[*or, did neglect and refuse to make any defence*
against the said charge,] but the same being
fully proved upon the oath of *G. H.* a credible
witness, [*or, as the case may happen to be*], ac-
knowledged and voluntarily confessed the same
to be true; and it manifestly appears to me,
that he, the said *E. F.* is guilty of the offence
charged upon him in the said information; I
do therefore hereby convict him of the offence
aforesaid, and do declare and adjudge that he,
the said *E. F.* hath forfeited the sum of

of lawful money of Great-
Britain for the offence aforesaid, to be distri-
buted as the law directs, according to the form
of the Statute in that case made and provided.
Given under my hand and seal, the
day of

Sect. 53.

Said

Said Justice may mitigate any such penalties, reasonable costs being always allowed over and above such mitigation, and so as such mitigation do not reduce the penalties to less than a moiety over and above the said costs. Sect. 54.

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The several duties shall be paid to the Receiver-General of the stamped duties, who shall keep a separate account of them, and pay same (the necessary charges being deducted) into the Receipt of the Exchequer, at such time and manner as the stamped duties are directed to be paid; and in the office of the Auditor of the said Receipt shall be provided and kept a book or books, in which all the monies arising from the said several duties, and paid into the said Receipt shall be entered apart from all other monies paid upon any account whatsoever; and the said money shall be a fund for the payment of the several annuities, and all such other charges and expences as are directed to be paid and payable pursuant to an Act of the last Session of Parliament, intituled, "An Act for raising a certain sum of money by way of annuities, and for establishing a Lottery." Sect. 55.

So much of Stat. 9 Ann. chap. 10. as restrains any persons, other than the Postmaster-General and his deputies, from preparing or providing, or from letting to hire, or furnishing horses or furniture for riding Post within this kingdom, is repealed. Sect. 56.

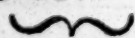
If any person shall be sued for any thing done in pursuance of this Act, he may plead the general issue, and give the special matter in evidence for his defence; and if upon the trial, verdict shall pass for the defendant, or plaintiff become nonsuited, defendant shall have treble costs. Sect. 57.

20 G E O. III.

AN ACT FOR APPOINTING AND ENABLING COMMISSIONERS TO EXAMINE, TAKE, AND STATE THE PUBLIC ACCOUNTS OF THE KINGDOM; AND TO REPORT WHAT BALANCES ARE IN THE HANDS OF ACCOUNTANTS, WHICH MAY BE APPLIED TO THE PUBLIC SERVICE; AND WHAT DEFECTS THERE ARE IN THE PRESENT MODE OF RECEIVING, COLLECTING, ISSUING, AND ACCOUNTING FOR PUBLIC MONEY; AND IN WHAT MORE EXPEDITIOUS AND EFFECTUAL, AND LESS EXPENSIVE MANNER THE SAID SERVICES CAN IN FUTURE BE REGULATED AND CARRIED ON FOR THE BENEFIT OF THE PUBLIC.

C H A P. LIV.

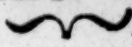
PUBLIC
AC-
COUNT
ACT.



LIEUTENANT-Gen. Sir Guy Carleton, Tho. Anguish, Arthur Pigot, Richard Neave, Samuel Beachcroft, James Tierney, and George Drummond, Esquires, or any three or more of them, are constituted Commissioners for taking, and stating the accounts of all duties, taxes, and monies granted, raised, and appropriated, for the public service of this kingdom, which have been issued to any person whose final accounts have not hitherto been passed before the Auditor of the Imprest, according to the forms of the Exchequer, or whose accounts, although passed, have been for services which have been performed since the

the first day of January, one thousand seven hundred and seventy-six; and also of all such duties, taxes, and monies, which shall hereafter be granted, raised, and appropriated for the public service of this kingdom, at any time before the determination of this present Act, and of all arrears thereof; and also for examining and stating in what manner, and at what times, the receipts, issues, and expenditures, of the said monies are now accounted for; and for considering of, and reporting by what means the public accounts may in future be passed, and the Accountants compelled to pay the balances or monies due from them in a more expeditious, effectual, and less expensive manner. Sect. 1.

PUBLIC
AC-
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The said Commissioners shall, in the first place, take an account of the public monies in the hands of the several Accountants, and for that purpose shall call on them to deliver in a cash account, and shall consider what sum it may be proper to leave in the hands of each Accountant respectively, for carrying on the services to which the same is or may be applicable, and what sums may be taken out of their hands to be disposed of by Parliament for the public service; all which they are to report to his Majesty, and to both Houses of Parliament, in the next Session of Parliament. Sect. 2.

Any three or more of the said Commissioners, may examine upon oath, the Auditors and all other officers of the Exchequer; the Commissioners and all other officers of the Treasury; the Commissioners and all other the officers of the Admiralty; the Paymaster-General and Deputy Paymasters of

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his Majesty's army, and all other officers in the office of the said Paymaster; Secretary at War, and all other officers dependant upon him and under his controul; Treasurer of Navy, and all other officers in the office of the said Treasurer; Comptrollers, Commissioners, and Surveyor of Navy, and all other officers dependant upon or under the controul of the said Comptrollers, Commissioners, and Surveyor; Commissioners for victualling Navy, and all other officers dependant upon or under the controul of the said Commissioners; Master General, Lieutenant General, Surveyor General, and officers composing the Board of Ordnance, and all other officers dependant upon or under the controul of the said Master General, Lieutenant General, and Surveyor General, or Board of Ordnance; Commissioners, Collectors, Receivers, and all other officers and persons concerned or employed in collecting, receiving, or managing, the several branches of the public revenue; and also all Commanders in Chief of forces by sea or land, and all Governors, Commissaries, or other persons having the power of granting warrants, or of issuing, disbursing, or expending money belonging to the public, or of drawing bills, or making contracts, or purchasing provisions or stores, or other necessities, or who have granted warrants, issued, disbursed, or expended money belonging to the public, or drawn bills, or made contracts, or purchased provisions, stores, or other necessities, for the supply of forces by sea or by land, or for the defence of the islands or places where they respectively have

have had or have commands; and all other Commissaries, Muster-masters, and Agents, and all persons whatsoever, who have been concerned or employed in transporting, victualling, clothing, or supplying forces by sea or by land, or in remitting money for the use of the same; and all other persons whom any three or more of the said Commissioners shall think fit to examine touching the receipt, issue, expenditure, and manner of accounting for the duties, taxes, and monies, so granted, raised, and appropriated, and touching all other matters and things necessary for the execution of the powers vested in the said Commissioners by the said Act; all which officers and persons are punctually to attend the said Commissioners, at such time or place as any three or more of them shall appoint, and also to observe and execute such orders and directions as such number of the said Commissioners shall make or give, for the purposes before-mentioned. Sect. 3.

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Any three or more of the said Commissioners are to examine into any corrupt or fraudulent practices, or other misconduct, committed by any person concerned in the management of any of the said duties, taxes, or monies. And for the better execution of this present Act, the like number of the said Commissioners are to meet and sit in the old Secretary of State's Office at Whitehall, or in any other place where they shall think fit, with or without adjournment, and to send their precept under their hands and seals, for any person, and for necessary books, papers, writings, or records, for their information relating to the accounts, matters, and things aforesaid; and

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and all Bailiffs, Constables, Sheriffs, and other officers, are to obey and execute such orders and precepts as shall be sent to them by any three or more of the said Commissioners, touching the premises. And so many Commissioners are to appoint and employ meet Clerks, Messengers, and Officers, and to administer to every of them an oath for his true and faithful demeanor in all things relating to the due performance of the trust reposed in him by the said Commissioners, and in all other things touching the premises; which Clerks and Officers are faithfully to execute and perform the said trust in them severally and respectively reposed, without taking any thing for such their service, other than such salary or reward as any three or more of the said Commissioners shall direct. Sect. 4.

The said Commissioners shall, at their discretion, or as often as required, and as soon as possible after the determination of their examinations and proceedings, without any further requisition, give an account of their proceedings, in writing under their hands and seals, or under the hands and seals of any three or more of them, to the King, and to both Houses of Parliament; and shall in like manner report to them, an exact state of the fees or gratuities paid or given in collecting, issuing, expending, and accounting for, the said public monies, and the authority under which such fees and gratuities are paid or received; and also what defects they have observed, during the course of their examinations and proceedings, in the present mode of contracting for public services, or of executing public

public services by Agents, or of collecting, issuing, expending, and accounting for the public monies; and whether the said defects arise from any omission or misdirection in the laws respecting the course used in the receipt of the Exchequer, or from any defect in the constitution in the offices of the Auditors of the Imprest, or from the want of a sufficient number of fit and able assistants employed by the said Auditors in the execution of their offices; or from any defect in the constitution of any of the offices concerned in issuing, expending, and accounting for the money appropriated to the public service, or from a want of a sufficient power to compel the several Accountants to pass their respective accounts without delay, or from any other, and what cause; and shall in like manner report such orders, rules, and regulations, as in their judgments shall appear fit and expedient to be established, in order that the duties, taxes, and monies, granted, raised, and appropriated, for the public service of this kingdom, may hereafter be received, issued, expended, and accounted for in the most expeditious, effectual, beneficial, and advantageous manner to the public. Sect. 5.

No person appointed a Commissioner shall accept of or hold any civil office of profit during pleasure, from or under his Majesty, during the continuance of this Act. Sect. 6.

Any three of the said Commissioners, before they enter upon the execution of the same, shall take an oath before the Chancellor of the Exchequer, or before the Master of the Rolls, the

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the tenor whereof shall be as followeth;
(that is to say)

I *A. B.* do swear, that, according to the best of my skill and knowledge, I will faithfully, impartially, and truly, execute the several powers and trusts vested in me by Stat. 20 Geo. III. chap. 54. according to the tenor and purport of the said Act.

And every other of the said Commissioners shall likewise take the same oath before the said three Commissioners. Sect. 7.

The Lords Commissioners of the Treasury, or Lord High Treasurer, are to issue and cause to be paid all sums of money, not exceeding two thousand pounds, to such person as any three or more of the said Commissioners shall, by writing under their hands, desire or direct, out of any part of the public monies remaining in Exchequer; which sums so issued and paid shall be employed for the payment of Clerks, Messengers, and other Officers, and in defraying all other necessary charges in or about the execution of the powers of this Act and in such manner, and in such proportions, as shall be appointed by three or more of the said Commissioners, by writing under their hands and seals; the same to be accounted for by the person to whom paid, according to the course of Exchequer, without any fees or other charges to be taken or demanded for the issuing and payment of the same on the passing of the said accounts other than such sum as three or more of the said Commissioners shall appoint. Sect. 8.

If

If any such public Accountant is dead, his Executors or Administrators shall, when required by any three or more of the said Commissioners, attend them, and observe and execute their orders and directions, in like manner as Accountants by this Act are required to do. Sect. 9.

This Act shall endure for one year from the fifth day of July last. Sect. 10.

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C H A P. LXIII.

WHEREAS, on the second day of June, in the year one thousand seven hundred and eighty, a great number of disorderly persons assembled themselves together, in a riotous and tumultuous manner, near to both Houses of Parliament, and possessed themselves of the avenues leading to the same, the said Houses being then sitting, and there committed great acts of outrage and violence to many; and afterwards proceeded to attack the houses of some of the public Ministers of foreign Princes and States residing at his Majesty's Court, and to break into the chambers belonging to such public Ministers, and to set fire thereto, and continued rioting and tumultuous behaviour for several days and nights, and during that time attacked and set fire to the gaol of Newgate, the King's Bench prison, the prison of the Fleet, and set at liberty the prisoners therein respectively.

20 G E O. III.

AN ACT TO INDEMNIFY SUCH PERSONS AS
HAVE ACTED IN THE SUPPRESSION OF THE
LATE RIOTS AND TUMULTS, IN AND
ABOUT THE CITIES OF LONDON AND WEST-
MINSTER, AND BOROUGH OF SOUTHWARK,
AND FOR THE PRESERVATION OF THE PUB-
LIC PEACE.

C H A P. LXIII.

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WHEREAS, on the second day of June,
in the year one thousand seven hun-
dred and eighty, a great number of disorderly
persons assembled themselves together, in a
riotous and tumultuous manner, near to both
Houses of Parliament, and possessed them-
selves of the avenues leading to the same,
the said Houses being then sitting, and there
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to many; and afterwards proceeded to attack
the houses of some of the public Ministers
of foreign Princes and States residing at his
Majesty's Court, and to break into the
chapels belonging to such public Ministers,
and to set fire thereto, and continued riot-
ously and tumultuously assembled for several
days and nights; and during that time at-
tacked and set fire to the gaol of Newgate,
the King's Bench prison, the prison of the
Fleet, and set at liberty the prisoners therein
respectively

respectively confined, and broke other gaols and prisons, and set at liberty the prisoners confined therein; and set fire to, and pulled down, divers dwelling-houses in several parts about London and Westminster, and Southwark, and burnt and consumed the materials and furniture of the same, and did other acts of outrage and violence: and whereas divers * *Magistrates*, and † *OTHERS*, exerted themselves for the suppression of the said riots and tumults, and for putting an end to the said outrages, and for restoring and preserving the public peace, and on the occasions, and for the purposes aforesaid, have done divers acts *which cannot be justified by law*, and yet were necessary, and so much for the preservation of the lives and properties of his Majesty's subjects, and the public safety and peace, *that they ought to be justified*, and the persons by whom they were transacted indemnified; therefore all personal actions and suits, indictments and informations, which have been, or shall be, commenced or prosecuted, and all molestations, prosecutions, and proceedings whatsoever, and judgments thereupon (if any be), against the said *Magistrates*, or other persons, for or by reason of any thing *commanded* or done on the occasions, and for the purposes aforesaid, or any of them, before the twenty-fourth day of June, now last past, shall be discharged and made void;

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* It is observable, that *Magistrates* were marked for inactivity, and the Lord Mayor of London actually censured by the Privy Council, for neglect of duty during the public commotions above alluded to.

† Why are not *Soldiers* expressly named?

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and every person, by whom any act shall have been *commanded* or done before the said twenty-fourth day of June, shall be freed, acquitted, and indemnified, as well against the King, as against every other person; and if any action hereby intended to be discharged, is or shall be commenced or prosecuted, every person so sued may plead the general issue, and give this Act, and the special matter, in evidence; and if the plaintiff shall be nonsuited, or forbear prosecution, or discontinue, or if verdict pass against him, defendant shall recover his double costs, for which he shall have the like remedy as when costs are given defendants.

20 G E O. III:

AN ACT TO PREVENT ANY MISCHIEF OR INCONVENIENCE WHICH MAY ARISE TO SHERIFFS, GAOLERS, SUITORS, PRISONERS, OR OTHERS, BY THE PRISONERS IN SEVERAL GAOLS IN THE COUNTIES OF MIDDLESEX AND SURREY, AND THE CITY OF LONDON, HAVING BEEN SET AT LIBERTY DURING THE LATE TUMULTS AND INSURRECTIONS.

C H A P. LXIV.

WHEREAS divers evil-minded and disorderly persons did, at several times between the second and eighth days of June, in this present year of our Lord one thousand seven hundred and eighty, assemble themselves together in London and Westminster, and the Borough of Southwark; and being so assembled, did burn, destroy, or break open, the gaol of Newgate, the prison of the Fleet, the King's-Bench prison, and other gaols and prisons in London, and in the Counties of Middlesex and Surrey, and did cause the prisoners then confined therein to escape, and go large; and whereas the Sheriff, Marshal, Warden, or other Officer, who had the custody of the said gaols or prisons, and the prisoners therein, are in danger of being sued, indicted, prosecuted, or proceeded against, by reason of such escapes; plaintiff (at whose suit such of the said prisoners as were confined by virtue of civil process

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process were in custody) may be under difficulties with respect to their proceedings against such prisoner; and also such prisoners as were set at large without their own concurrence or consent, may be in a worse situation, by means of their enlargement, than if they had remained in actual custody: therefore all personal actions and suits, indictments, informations, and all molestations, prosecutions, and proceedings whatsoever, and judgments thereupon (if any be), had, commenced, or prosecuted, or so to be, against any Sheriffs, Under-Sheriffs, Marshal, Warden, Bailiff, Gaolers, Officers, or their sureties, for the escape of any prisoner who was or has been discharged in manner, and on the occasion aforesaid, are hereby discharged, annulled, and utterly made void; and if any such discharged, or intended to be discharged, personal action be commenced or prosecuted, every person so sued, may plead the general issue, and give this Act, and the special matter, in evidence; and if the plaintiff shall be nonsuited, forbear prosecution, or discontinue, or if judgment pass against him, defendant shall recover double costs by like remedy as where costs are given defendants. Sect. 1.

In case any prisoner who was at the times aforesaid in custody in any of the said gaols or prisons, by virtue of any civil process, and who was set at large in the manner and occasion aforesaid, hath surrendered, or offered to surrender himself, or shall, on or before the first day of September now next ensuing, surrender, or offer to surrender himself to the Sheriff, Marshal, Warden, or other Officer, under whose custody he was at the time of his said enlargement, or their successors in office, and shall

shall have given, or shall give, in writing, to such Sheriff, Marshal, Warden, or other Officer (or their successors in office), his place of abode; and in case he shall change the same, shall give like notice to such Sheriff, Marshal, Warden, or other Officer (or their successors in office), of such new place of abode, and shall, when lawfully called upon by such Sheriff, Marshal, Warden, or other Officer, or their successors in office, or by the plaintiff, be ready to surrender, and shall surrender, or offer to surrender as aforesaid, such prisoner so surrendering, or offering to surrender himself, and conforming as aforesaid, shall be considered as if he now was, and had always remained in such custody, as he was at time of his said enlargement, and shall not be liable to be arrested by any civil process out of any Court; and in case he be so arrested, he shall be discharged therefrom. Sect. 2.

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In all such cases, plaintiff, at whose suit such prisoner was in custody, or creditor having cause of action against such prisoner, may deliver declarations and all other proceedings against any such prisoner, to the Sheriff, Marshal, Warden, or other Officer, in whose custody such prisoner was at time of said enlargement (or successors in office), and give notice in writing to such prisoner, or leave the same at his place of abode; which proceeding shall be as available in Law, as if such plaintiff or creditor had proceeded according to the forms against persons in actual custody; and such plaintiff or creditor may proceed to judgment, as if such prisoner was in actual custody,

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custody, and also may take out execution against his real or personal estate. Sect. 3.

With respect to prisoner who was in custody in gaols or prisons aforesaid, by civil suit or process, and who was let at large in manner aforesaid, and who hath not surrendered himself in manner aforesaid, nor shall offer so to do within the time above limited, plaintiff, at whose suit he was so in custody, may deliver in like manner declarations, and all other proceedings against such prisoner, to Sheriff, Marshal, Warden, or other Officer, in whose custody such prisoner was, at the time of his said enlargement, or the successors in office, and give notice thereof in the Gazette; which proceedings shall be as good in Law, as if such plaintiff had proceeded according to the forms heretofore used against persons in actual custody, and may proceed to judgment thereupon, within the same time as such prisoner was in actual custody, and take out his execution thereupon. Sect. 4.

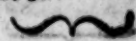
No plaintiff shall be prejudiced or damned for his not having proceeded against prisoner from the time of his said enlargement, until the first day of November next. Sect. 5.

In case any defendant in any action or information hath tendered to surrender himself, or hath been tendered to be surrendered in discharge of his bail, and the Court, or the Judge of the Court, in which the action or information hath been depending, for want of a proper place of confinement, hath not committed such defendant; or in case any defendant in any action or information, who hath given special bail, shall, before the said prisons of the King's-Bench and the Fleet shall

shall have been repaired, or other prison been substituted in lieu thereof respectively, and notice thereof in Gazette, as after mentioned, be desirous to surrender himself in discharge of his bail, or bail shall be desirous to surrender defendant; defendant may come or be brought before any Court, or Judge of the Court in which such action or information is or has been depending, and such Court or Judge shall commit such defendant to the custody of the Marshal or Warden (as the case may be), and the tipstaff shall tender him, and the bail shall thereupon be discharged, and such defendant shall in all things conform to the directions before prescribed concerning such prisoners who have been set at large, and have surrendered or tendered themselves to be surrendered, or shall tender themselves to be surrendered, in manner before-mentioned, and such defendant shall be deemed to be in actual custody; and the plaintiff, or any other creditor, may proceed against him, as in custody; provided Marshal or Warden shall not be answerable for the escape of such prisoner, until the prisons of the King's-Bench and the Fleet respectively shall have been repaired as aforesaid, or other prison substituted in the place thereof, and such defendant shall be in actual custody. Sect. 6.

Warden, until the said prison of the Fleet shall be repaired and made fit for the reception of prisoners, or some other prison appointed in lieu thereof, and such prisoner shall be received within the walls of such prison, shall not be answerable for the escape of such prisoners; nevertheless such surrenders shall be

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valid in law, and the bail exonerated and discharged; and prisoners are to conform to the rules before prescribed concerning such prisoners who have been set at large, and have surrendered, or tendered themselves to be surrendered, in manner before mentioned; and thereupon shall be deemed and taken to be in actual custody, and liable to be proceeded against as before mentioned. Sect. 7.

So soon as the King's Bench and the Fleet prisons shall be repaired and made fit for the reception of prisoners, or other prison substituted in lieu thereof, and the same shall be notified in Gazette by Secretary of State, every prisoner who has escaped or been at liberty in consequence of the said tumults and insurrections, and also all persons committed, and under the provisions before mentioned deemed as if in custody of the said Marshal or Warden, within twenty-eight days next after notice in Gazette of the repair of the said prisons, or of any other prison in lieu thereof, are to surrender themselves to the keeper of such of the said prisons to which they shall respectively belong, and in whose custody they are, under the provisions of this Act, deemed to be, so as to become actual prisoners, and within the walls of such prison; and every such prisoner or person before mentioned, who shall neglect or refuse so to do, not having any reasonable excuse in that behalf, shall lose all privilege and benefit of this Act, and may be retaken by any plaintiff as in case of wilful escape; and such prisoner, person, or defendant, be also rendered for ever incapable of taking the benefit of any insolvent debtors Act, Sect. 8.

Nothing

Nothing in this Act contained shall extend to the case of any prisoner who, on the eighth day of June, in the present year of our Lord one thousand seven hundred and eighty, was confined in the New Prison or the Marshalsea Prison, under the custody of the Marshal. Sect. 9.

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Until the prison of Newgate shall be rebuilt or repaired, or other prison substituted in the place thereof, the Sheriff of the County of Middlesex may confine any person not in custody at the time of the destruction of Newgate, and who hath, since the destruction of the said gaol, been, or shall be hereafter arrested or taken in execution by the said Sheriff, on any civil process, in any other place of security in Middlesex; and such gaol of security shall be subject to all such regulations and provisions as county gaols are; and the name of such gaol or place of security, together with the names of the prisoners therein, and of the causes in which they are arrested or detained, shall be fixed up publicly in the said Sheriff's office. Sect. 10.

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<p>CHARLES II. 11 CAR. II. c. 24. Page 7, 36 WILLIAM III. 10 and 11 W. III. chap. 10. 2 ANNE. 9 Anne, chap. 10. 73 GEORGE II. 31 Geo. II. chap. 2. 7</p>	<p style="text-align: right;">GEORGE III.</p> <p>15 Geo. III. chap. 15. Page 3 19 Geo. III. chap. 5. 4 20 Geo. III. chap. 6. 23, 3 n. 39 — chap. 6. 1 — chap. 9. 3 — chap. 17. 9 — chap. 28. 28 — chap. 34. 37 — chap. 35. 24 — chap. 37. 42 — chap. 51. 44 — chap. 54. 74 — chap. 63. 82 — chap. 64. 82</p>
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